

THE

JAMMU AND K ASHMIR OFFICIAL GAZETTE

| | CONTENTS | English Pages | Verna lar pa |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------|
| PART | I-Aô Appointments, promotions, transfers and leave of absence sanctioned by the Governor, Government and the Ministers | 580-602 | |
| PART | I-Bó Notifications, Communiques and General Orders by the Government and the Ministers | 633-672 | |
| PART | II-Aó Appointments, promotions, transfers and leave of absence sanctioned by Heads of Departments | 91-92 | |
| PART | II-Bó Notifications, Notices and Orders by Heads of Departments, Provincial Heads, Magistrates and other officers competent to issue public notices under any law or rule | 347-350 | |
| PART | II-Có Notifications, Notices and Orders by Election Commission of India, Chief Electoral Officer, Jammu and Kashmir and other Officers of the Department, Election Petitions and Judgements of Election Tribunal | 347-330 | |
| PART | III- Laws, Regulations and Rules passed thereunder | | |
| PART | IVó Reprints from the Government of India Gazette or Gazettes of others Governments | | |
| PART | Vó Information and Statistics (a) Rates and prices in the State (b) Rates and wages (c) Crop Report and Forecasts (d) Whether Observations (e) Vital Statistics | | |
| SUPPLEN | MENT-AóTrade | | |
| | Monthly Imports and Exports from the State | | |
| SUPPLEM | IENT-BóPolice | | |

Printed at the Ranbir Government Press, Jammu.

PART I-A

Jammu & Kashmir Government-Orders

óóóóóóóó

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU (Exercising powers of Bar Council under Section 58 of the Advocates Act, 1961).

Notification

No. 400 Dated 08-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Mushafiq Jan D/o Mohd Afzal Magrey R/o Wattoo, Magrey Mohalla, Tehsil D. H. Pora, District Kulgam has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-397/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 401 Dated 08-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Sakeena Gani D/o Abdul Gani Dar R/o Maidane Chougal, Kupwara vide Notification No. 808 dated 20-09-2019 has been declared as absolute/final.

By order.

Notification

No. 402 Dated 08-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Sheeba Rashid Dar D/o Abdul Rashid Dar R/o Namchabal Fateh Kadal, Srinagar vide Notification No. 137 dated 17-06-2019 has been declared as absolute/final.

By order.

Notification

No. 403 Dated 08-12-2020.

Provisional admission as an Advocate, granted under the Advocates Act, 1961 in favour of Ms. Ulfat Mohi-ud-Din D/o Gh. Mohi-ud-Din Yatoo R/o Drussu, Pulwama vide Notification No. 1864 dated 15-03-2018 has been declared as absolute/final.

By order.

óóóóóóóó

Notification

No. 404 Dated 08-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Gagandeep Singh S/o Gurbachan Singh R/o H. No. 1176, Sector 8, Nanak Nagar, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-373/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 405 Dated 08-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Harmeet Singh S/o Tirath Singh R/o Akali Kour Singh Nagar, Digiana, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-428/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 409 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Aamir Hussain Dar S/o Bashir Ahmad Dar R/o Naina Gund, Baba Khalil, Sangam, Tehsil Bijbehara, District Anantnag has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-343/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 410 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Abdul Rahim Pintoo S/o Bashir Ahmad Pintoo R/o Wanpora, Tehsil Gurez, District Bandipora has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-344/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 411 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Aamir Manzoor S/o Manzoor Ahmad R/o Karnah, Amroohi, Tehsil Karnah, District Kupwara has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-345/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 412 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Aajaz Ahmad Ganai S/o Ghulam Nabi Ganai R/o Shangus Usmanabad, Anantnag has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-346/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 413 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Aijaz Ahmad Wani S/o Ab. Khliq Wani R/o Charar-I-Sharief, Trajibal, District Budgam has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-347/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 414 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Aqefa Sameem D/o Gh. Mohammad Bhat R/o Agroo Astan Mohalla, Devsar, District Kulgam has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-348/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

όόόόόόό

Notification

No. 415 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Ajaz Ahmad Naikoo S/o Ab. Majeed Naikoo R/o Jungle Nard, Shall Tokuna (Malangpora), Awantipora, Pulwama has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-349/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 416 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Aiman Ali D/o Ali Mohammad Bhat R/o Badu Bagh, Tehsil Khanyar, District Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-350/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 417 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Abdullah Raashid Rasool S/o Gulam Rasool Dar R/o Madina Colony, Malla Bagh, Hazratbal, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-351/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 418 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Ansa Ishtaq D/o Ishtaq Ahmad Zogi R/o Saraf Kadal, Killi Masjid,

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 419 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Anam Mushtaq Mackay D/o Mushtaq Ahmed Mackay R/o 36, Dabag Mohalla, Dabtal, Jamalatta, Tehsil Sr Gunj, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-353/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 420 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Abid Hussain S/o Gh. Qadir Waza R/o Trajibal, Tehsil Charar-I-Sharief, District Budgam has been admitted and enrolled as an Advocate

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 421 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Azra Fatima D/o Habib Ullah Bhat R/o Summer Bugh Lasjan, B. K. Pora, District Budgam has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-357/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 422 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Asiya Nazir D/o Nazir Ahmad Malik R/o Nipora, District Anantnag has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 423 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Arif Hussain S/o Gulzar Hussain R/o Thangdumbur, Tehsil Sankoo, District Kargil A/P Lane No. 1, Upper Narwal, Noor Abad Bathindi, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-359/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 424 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Aijaz Bashir Wagay S/o Bashir Ahmed Wagay R/o Nowgam, Devsar, Near Masjidpora, Ganiepora, District Kulgam has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 425 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Bashir Ahmad Rather S/o Ali Mohammed Rather R/o Busser Bugh Alastang, Ganderbal has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-361/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 426 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Bushra Rafi D/o Mohd Rafi Jan R/o Gund Dalwach, Kwarhama, Baramulla has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-362/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

Notification

No. 427 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Babar Fareed Wani S/o Fareed Ahmad Wani R/o Shumnag, Fazilabad, Trehgan, Kupwara has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-363/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 428 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Bisma Gul D/o Ghulam Din War R/o Kirmani Colony, Drangbal, Baramulla has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-365/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 429 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Burshan Javed S/o Javeed Ahmad Malik R/o Nowgam, Shahabad, Verinag, Tehsil Duru, District Anantnag has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-366/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 430 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Bisma Afzal Haji D/o Mohammad Afzal Haji R/o Doctors Lane, Iqbal Colony, Zainakote, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-367/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 431 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Babesh Kumar S/o Harbans Lal R/o Village Laswara, Tehsil Bishnah, District Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-368/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 432 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Firdous Ahmad Wani S/o Gh. Mohd Wani R/o Khrew, Khar Mohalla, Tehsil Pampore, District Pulwama has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-369/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 433 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Fayaz Ahmad Naikoo S/o Abdul Rehman Niakoo R/o Gousa Mohalla, Aismuqam, Pahalgam, Anantnag has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-370/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

όόόόόόό

Notification

No. 434 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Farhat Gulzar D/o Gh. Mohammad Lone R/o Sangrama Sopore 4, Wani Mohalla Sopore, Baramulla has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-371/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 435 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Gulzar Ahmad Wani S/o Gh. Ahmad Wani R/o Batapora, Kunzer, District Baramulla has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-372/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 436 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Hafsa Khurshid D/o Pirzada Khurshid Ahmad R/o Friends Colony, Lane No. 2, HMT Road, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-375/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 437 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Hameem Jeelani D/o Sona Ullah Ganie R/o Banghall, Near Masjid Sharief Herpora Devsar, Kulgam has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-376/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 438 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Huzeefa Shabir D/o Shabir Ahmad Khan R/o Kalwal Mohalla, Rainawari, Khanyar, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-377/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 439 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Irshad Ahmad Teli S/o Ali Mohammad Teli R/o Firdous Abad Batamaloo, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-378/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 440 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Pragya Sharma D/o Arun Kumar Sharma R/o H. No. 64, Lane No. 3, Suraksha Vihar Colony, Paloura Top, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-411/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 441 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Ishfaq Ahmad Yatoo S/o Mohammad Yousuf Yatoo R/o Rakhi Shilvath, Sumbal, Bandipora has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-379/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 442 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Nafia Zahoor D/o Zahoor Ahmed Bhat R/o Ikhrajpora Rajbagh, Silk Factory Road, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-409/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 443 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Zakir Ahmad Parray S/o Gulzar Ahmad Parry R/o Sempora, Derapora, Yaripora, Kulgam has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-452/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 444 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Ishaqa Nazir D/o Nazir Ahmad Bhat R/o Parigam, Astan Mohalla, Pulwama has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-380/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 445 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Iqra Manzoor D/o Manzoor Ahmad Wani R/o Kadalbal Pampore, Pulwama has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-381/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

óóóóóóóó

Notification

No. 446 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Insha Altaf D/o Altaf Hussain Najar R/o Nowgam, Pohru Chowk Near AGMS School, Chanapora (South), Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-382/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 447 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Mr. Irfan Ahmad Khan S/o Ghulam Mohi ud din Khan R/o Chewa Khan Mohalla, Sumbal Sonawari Bandipora has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-383/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

όόόόόόό

Notification

No. 448 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms.Jowhara Hassan D\o Gh. Hassan Yatoo R\o Rakh-e-Shalvath, Sumbal, Bandipora has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-384/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 449 Dated 09-12-2020.

It is hereby notified that vide High Court Order dated 25-11-2020 Ms. Jasia Jeelani Lanker D/o Late Ghulam Jeelani Lanker R/o Shamshipora Vehil, Shah Mohalla, Shopian has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-385/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

(Sd.) MOHAMMAD YASIN BEIGH,

Registrar (Adm.)



JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Government—Notifications.

óóóóóóó

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATÔ LABOUR AND EMPLOYMENT DEPARTMENT.

Subject :ô Nomination of First Appellate Authority (FAA)/Public Information Officer (PIO) in Labour and Employment Department. 666666

> Government Order No. 05-L&E of 2021 Dated 25-01-2021.

In pursuance of section 19(1) and section 5(1) of the Right to Information Act, 2005, sanction is hereby accorded to the nomination of following Officers as First Appellate Authority (FAA), and Public Information Officer (PIO), in the Department with immediate effect: ô

C' '1 C " C '

Civil Sectt., Srinagar.

(May to Oct.)

Mr. Virender Gupta, Public Information Room No. 3/5 (Mini Block),
Deputy Secretary to Govt., Officer (PIO) 3rd Floor, Civil Sectt., Jammu

Mobile No. 8825032793 (Nov. to April)

Room No. 6/24, 6th Floor, Civil Sectt., Srinagar.

(May to Oct.)

By order of the Government of Jammu and Kashmir.

(Sd.) SAURABH BHAGAT, IAS,

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATÔ REVENUE DEPARTMENT.

Notification No. 185-Rev (LAJ) of 2020

Dated 22-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for construction of Bhagli Champal road by PMGSY in Village Champal, Tehsil Chilly Pingal, District Doda;

Whereas, on the basis of an indent placed by the Chief Engineer, PMGSY Division, JKRRDA, Jammu a notification under section 4 (1) was issued by the Collector, Land Acquisition (SDM), Gandoh vide letter No. 547-53/LAC dated 09-10-2019, for land measuring 141 Kanals, situated in Village Champal, Tehsil Chilly Pingal, District Doda;

Whereas, the Collector, Land Acquisition (SDM), Gandoh, vide letter No. 657-58/LAC dated 25-10-2019, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners/interested

Whereas, the report furnished by Collector, Land Acquisition (SDM), Gandoh, vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda vide No. 537/LAC/D/19 dated 28-10-2019 duly endorsed by the Divisional Commissioner, Jammu vide No. 502/3894/PMGSY/Champal/Doda/19/3083 dated 21-12-2019 and endorsed by the Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5184/2020 dated 19-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Bhagli Champal road by PMGSY in Village Champal, Tehsil Chilly Pingal, District Doda.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 141 Kanals, situated in Village Champal, Tehsll Chilly Pingal, District Doda, for construction of Bhagli Champal road under PMGSY in Village Champal. Further, the Collector, Land Acquisition (SDM), Gandoh is directed under section 7 of the said Act to take orders for acquisition of the said land after giving pescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

Annexure-A

Particulars of the land

| District | Tehsil | Village | Kh. Nos. | Area |
|----------|---------------|---------------|-------------------|----------|
| óóóóóóó | óóóóóóóóóó | óóóóóóóóóóó | óóóóóóóóóóóóóóóó | óóóóóóóó |
| 1 | 2 | 3 | 4 | 5 |
| ô ô ô ô | ô ô ô ô ô ô ô | ô ô ô ô ô ô ô | 0 0 0 0 0 0 0 0 0 | ô ô ô ô |
| | | | | K. M. |
| Doda | Chilly Pingal | Champal | 142 min | 00-16 |
| | | | 142 min | 00-092 |

| 1 2 3 | | 000000000 | 5 |
|---------------------------------|----|-----------|---------------------------|
| ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô | | 2 min | ô ô ô ô K. M. 00-12 |
| | 14 | 2 min | 00-06 |
| | 14 | 2 min | 00-05 |
| | 14 | 2 min | 00-12 |
| | 13 | 8 min | 00-03 |
| | 14 | 3 min | 01-05 |
| | 14 | 3 min | 00-14 |
| | 13 | 8 min | 00-09 |
| | 14 | 3 min | 00-10 |
| | 13 | 8 min | 00-03 |
| | 14 | 2 min | 01-02 |
| | 14 | 2 min | 01-12 |
| | 14 | 2 min | 00-11 |
| | 14 | 2 min | 00-03 |
| | 14 | 2 min | 00-08 |
| | 14 | 2 min | 01-09 |
| | 13 | 8 min | 00-15 |
| | 13 | 8 min | 01-12 |
| | 13 | 8 min | 00-06 |
| | 13 | 8 min | 01-06 |
| | 13 | 8 min | 00-05 |
| | 13 | 8 min | 00-05 |
| | 13 | 8 min | 00-09 |
| | 13 | 8 min | 00-04 |
| | 13 | 8 min | 00-15 |
| | 13 | 8 min | 01-01 |

No. 49] The J&K Official Gazette, 4th March, 2021/13th Phal., 1942. 637 $\hat{0} \ \hat{0} \$ K. M. 142 min 02-15 142 min 00-04 142 min 00-02 142 min 00-03 142 min 00-04 148/1 min 00-05 148/1 min 00-06 148/1 min 00 - 17142 min 00-05 148/1 min 00-16 148/1 min 00-17 148/1 min 00-17 148/1 min 00-05 148/1 min 00-03 148/1 min 00-03 148/1 min 00-04 148/1 min 01-10 179 min 00-07 148/1 min 00-09 148/1 min 00-09 148/1 min 00-19 148/1 min 00-17 148/1 min 01-03 148/1 min 01-03 146 min 02-11 146 min 00-01

| 148/1 | min | K. M. 01-09 |
|-------|-----|-------------|
| 148/1 | min | 01-07 |
| 148/1 | min | 02-00 |
| 148/1 | min | 00-12 |
| 179 | min | 00-14 |
| 180 | min | 01-02 |
| 180 | min | 01-11 |
| 180 | min | 01-00 |
| 181 | min | 00-13 |
| 320 | min | 01-00 |
| 320 | min | 01-04 |
| 181 | min | 00-09 |
| 320 | min | 00-13 |
| 181 | min | 00-08 |
| 180 | min | 00-16 |
| 180 | min | 00-12 |
| 180 | min | 01-02 |
| 180 | min | 00-17 |
| 180 | min | 00-04 |
| 180 | min | 01-03 |
| 181 | min | 00-02 |
| 180 | min | 01-14 |
| 182 | min | 00-08 |
| 181 | min | 00-11 |
| 320 | min | 00-13 |
| 320 | min | 01-03 |

| No. 49] The J&K Official Gazette, 4th March, 2021/13t 666666666666666666666666666666666666 | | |
|--------------------------------------------------------------------------------------------|-------|-------------|
| ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô | ôôôôó | ôôôô |
| | min | K. M. 00-14 |
| 321 | min | 01-01 |
| 325/1 | min | 00-18 |
| 325/1 | min | 01-02 |
| 325/1 | min | 00-12 |
| 321 | min | 01-07 |
| 320 | min | 01-00 |
| 320 | min | 00-17 |
| 320 | min | 00-15 |
| 181 | min | 01-07 |
| 184 | min | 00-10 |
| 181 | min | 00-10 |
| 172 | min | 00-13 |
| 173 | min | 00-07 |
| 173 | min | 00-04 |
| 173 | min | 01-18 |
| 171 | min | 00-09 |
| 169 | min | 00-03 |
| 169 | min | 00-03 |
| 169 | min | 00-03 |
| 169 | min | 00-11 |
| 169 | min | 00-08 |
| 169 | min | 00-08 |
| 169 | min | 00-09 |
| 190 | min | 00-15 |
| 166 | min | 00-06 |

| óóóóóóóóóóóó | óóóóóóóóóóóóóó | 4th March, 2021/ | óóóóóóóóóóóó | óóóóóóóóó |
|--------------|-----------------|------------------|------------------------|---------------------------|
| 1 | 2 | 3 | 4 | 5 |
| ô ô ô ô ô ô | ô ô ô ô ô ô ô ô | 3 6 6 6 6 6 6 6 | ô ô ô ô ô ô 166 min | ô ô ô ô K. M. 00-04 |
| | | | 190 min | 00-02 |
| | | | | |
| | | | 166 min | 00-08 |
| | | | 166 min | 00-10 |
| | | | 165 min | 00-13 |
| | | | 165 min | 00-07 |
| | | | 164 min | 00-14 |
| | | | 163 min | 02-15 |
| | | | 163 min | 00-06 |
| | | | 162 min | 00-11 |
| | | | 191 mln | 00-04 |
| | | | 191 min | 00-05 |
| | | | 191 min | 00-03 |
| | | | 191 min | 00-03 |
| | | | 191 min | 00-13 |
| | | | 191 min | 00-13 |
| | | | 188 min | 01-09 |
| | | | 188 min | 00-13 |
| | | | 188 min | 00-15 |
| | | | 187 min | 02-00 |
| | | | 195 min | 00-17 |
| | | | 195 min | 00-09 |
| | | | 195 min | 00-07 |
| | | | 181 min | 00-07 |
| | | | 181 min | 00-07 |
| | | | 181 min | 00-10 |

No. 49] The J&K Official Gazette, 4th March, 2021/13th Phal., 1942. 641 $\hat{0} \ \hat{0} \$ K. M. 196 min 00-02 196 min 00-03 208 min 00-02 208 min 00-02 228 min 00-08 228 min 00-03 228 min 00-04 228 min 00-07 228 min 00-17228 min 00-13 228 min 00-15 227 min 01-01 227 min 00 - 11227 min 00-01 226 min 01-00 208 min 00-04 196 min 00-07 208 min 00-03 198 min 00-04 198 min 00-04

198 min

200 min

200 min

200 min

203 min

204 min

00-11

01-00

00-05

00-01

00-04

00-04

642 The J&K Official Gazette, 4th March, 2021/13th Phal., 1942. [No. 49 $\hat{0} \ \hat{0} \$ K. M. 204 min 00-05 203 min 00-05 214 min 00-03 214 min 00-01 214 min 01-04 214 min 01-04 53 min 00-03 53 min 00-03 53 min 00-03 53 min 00-01 00-01 53 min 53 min 00-09 52 min 00-03 52 min 00-04 52 min 00-1449 min 00-02 46 min 00-05 00-05 50 min 50 min 00 - 1100-13 46 min 41 min 00-07 41 min 00-07 00-01 41 min 41 min 00-01 37 min 00-19 41 min 00-15 40 min 00-16 13 min 00-16

No. 49] The J&K Official Gazette, 4th March, 2021/13th Phal., 1942. 643 $\hat{0} \ \hat{0} \$ K. M. 37 min 01-12 36 min 00-02 27 min 00-18 27 min 00-03 27 min 00-03 27 min 00-07 27 min 00-15 25 min 00-05 27 min 00-01 00-13 25 min 25 min 00-03 25 min 00-03 25 min 00-02 00 - 1125 min 25 min 00-05 25 min 00-05 25 min 00-17 220 min 00-02 220 min 00-08 220 min 00-08 220 min 00-03 220 min 00-03 220 min 00-08 217 min 00-05 222 min 00-08 222 min 00-03 222 min 00-04 222 min 00-12

| 644 The J&K Official Gazette, 4th March, 2021/13th Phal 666666666666666666666666666666666666 | - |
|----------------------------------------------------------------------------------------------|--------|
| ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô | _ |
| | K. M. |
| 250 min | 00-09 |
| 244 min | 00-09 |
| 244 min | 01-00 |
| 248 min | 00-08 |
| 249 min | 00-12 |
| 249 min | 00-11 |
| 243 min | 00-06 |
| 243 min | 01-04 |
| 243 min | 00-06 |
| 243 min | 01-01 |
| 236 min | 03-01 |
| 239 min | 00-15 |
| 237 min | 02-11 |
| 281 min | 00-08 |
| 282 min | 01-10 |
| 285 min | 01-00 |
| 287 min | 00-19 |
| | óóóóóó |
| Total | 141-00 |
| | óóóóóó |

óóóóóóóó

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATô REVENUE DEPARTMENT.

Notification No. 184-Rev (LAJ) of 2020 Dated 22-06-2020.

Whereas the land, specifications whereof are given below is required for public purposes viz. for construction of road from Puneja to Bhallara under PWD situated in Village Chagnoo, Tehsil Chiralla, District Doda;

| District | Tehsil | Village | Kh. Nos. | Area |
|----------|------------|-------------|--------------|------------|
| óóóóóóóó | óóóóóóóóóó | όόόόόόόόόόό | óóóóóóóóóóóó | óóóóóóóóóó |
| | | | | K. M. |
| Doda | Chiralla | Chagnoo | 225 | 01-08 |
| | | | 227 | 01-17 |
| | | | 228 min | 00-10 |
| | | | | 00-08 |
| | | | 228 | 00-11 |
| | | | | óóóóó |
| | | | Total | 04-14 |
| | | | | óóóóó |

Whereas, on the basis of an indent placed by Executive Engineer, PWD (R&B), Spl. Sub-Division, Bhaderwah, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Thathri, vide letter No. SDM/T/LAC/332-39 dated 12-10-2019 for land measuring 04 Kanals, 14 Marlas in Village Chagnoo, Tehsil Chiralla, District Doda for construction of road from Puneja to Bhallara under PWD (R&B);

Whereas, the Collector, Land Acquisition (SDM), Thathri vide letter No. SDM/T/LAC/96-97 dated 25-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of Land Acquisition Act;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Thathri vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda vide No. 544/LAC/D/19 dated 28-10-2019, Divisional Commissioner, Jammu vide No. 502/3950/PWD/Chagnoo/Doda/19/2915 dated 27-11-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5189/2020 dated 11-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of road from Puneja to Bhallara under PWD (R&B).

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to the Government, Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATÔ REVENUE DEPARTMENT.

Notification No. 173-Rev (LAJ) of 2020

Dated 22-06-2020.

Whereas, the land, specifications whereof are given below is required for public purposes viz. for construction of 33 Meter Span Over Ancha Nallah situated in Village Sumber, Tehsil and District Ramban;

Particulars of the land

| District | Tehsil | Village | Kh. Nos. | Area |
|----------|------------|-------------|--------------|------------|
| óóóóóóóó | óóóóóóóóóó | δόόόόόόόόόό | óóóóóóóóóóóó | óóóóóóóóóó |
| | | | | K. M. |
| Ramban | Ramban | Sumber | 1007 | 01-06 |

Whereas, on the basis of an Indent placed by the Chief Engineer, PW (R&B) Department, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Ramban, vide No. Acq/Gen/19/549-59 dated 05-08-2019 for land measuring 01 Kanal and 06 Marlas in Village Sumber, Tehsil and District Ramban for construction of 33 Meter Span over Ancha Nallah;

Whereas, the Collector, Land Acquisition (ACR), Ramban, vide No. Acq/Gen/19/754-56 dated 05-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the

Whereas, the report furnished by Collector, Land Acquisition (ACR), Ramban, vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Ramban vide No. DC/LA/Rbn/378-79 dated 12-10-2019, Divisional Commissioner, Jammu vide No. 502/3788/PWD/Sumber/Rbn/19/2688 dated 30-10-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5163/2020 dated 14-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of 33 Meter Span over Ancha Nallah.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 01 Kanal and 06 Marlas in Village Sumber, Tehsil and District Ramban, for construction of 33 Meter Span over Ancha Nallah. Further, the Collector, Land Acquisition (ADC), Ramban is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the Notification under section 9 (2) of the said Act, the Collector will take possession of the aforementioned land in Village Sumber, Tehsil and District Ramban, required for public purposes, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

> Notification No. 209-Rev (LAJ) of 2020 Dated 24-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for construction of road from Katyara to Kanser via Haddal Km. 2nd under PWD (R&B) situated in Village Haddal, Tehsil Bhaderwah, District Doda;

Whereas, on the basis of an indent placed by Chief Engineer, PWD (R&B), Division Bhaderwah, a notification under section 4 (1) was issued by Collector, Land Acquisition (ADC), Bhaderwah, vide letter No. ADC/LAC/18-19/866-72 dated 14-10-2019 for the land measuring 19 Kanals, 11 Marlas in Village Haddal, Tehsil Bhaderwah, District Doda for construction of road from Katyara to Kanser via Haddal Km. 2nd under PWD (R&B);

Whereas, the Collector, Land Acquisition (ADC), Bhaderwah, vide letter No. LAC/ADC/19-20/976-77 dated 23-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Bhaderwah, vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda, vide No. 532/LAC/D/19 dated 28-10-2019, Divisional Commissioner, Jammu vide No. 502/3935/PWD/Haddal/Doda/19/2914 dated 27-11-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5174/2020 dated 11-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of road from Katyara to Kanser via Haddal Km. 2nd under PWD (R&B).

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

Annexure-A

Particulars of the land

| 1 | 2 | 3 | Kh. Nos. | 5 0 ô ô ô ô |
|------|--------------|--------|----------|----------------|
| Doda | Bhaderwah | Haddal | 146 | K. M. 01-00½ |
| Dodd | Biladel Wali | Tuccui | 147 | 00-02 |
| | | | 148 | 00-121/2 |
| | | | 145 | 00-01 |
| | | | 149 | 00-04 |
| | | | 206 | 00-03 |
| | | | 204 | 00-11 |
| | | | 203 | 00-101/2 |
| | | | 202 | 00-19 |
| | | | 201 | 00-09 |
| | | | 200 | 00-07 |
| | | | 198 | 00-031/2 |

650 The J&K Official Gazette, 4th March, 2021/13th Phal., 1942. [No. 49 1 2 5 $\hat{0} \ \hat{0} \$ K. M. 196 00-06 195 00-13 368 00-04 378 00-03 530/373 00-05 374 00-03 354 00-11 357 00-02 355 00-03 356 00-02 521/348 01-00 338 00-03 325 00-01 329 00-01 323 00-05 334 min 00-16 334 min 00-19 332 00-01 333 00-05 336 00-08 00-11 337 335 $01-11\frac{1}{2}$ 395 01-081/2 394 00-01 393 00-03 389 00-09 388 00-11 387 00-06 385 00-07 398 01-09 óóóóó Total 19-11

óóóóó

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATÔ REVENUE DEPARTMENT.

Notification No. 170-Rev (LAJ) of 2020

Dated 22-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for widening of National Highway situated in Village Neera, Tehsil and District Ramban;

Whereas, on the basis of an indent placed by Project Director, National Highway (PIU), a notification under section 4 (1) was issued by Collector, Land Acquisition (ADC), Ramban, vide No. CLA/NH-44/2019/1170-80 dated 27-09-2019 for land measuring 15 Kanals and 06.5 Marlas in Village Neera, Tehsil and District Ramban for widening of National Highway;

Whereas, the Collector, Land Acquisition (ADC), Ramban, vide No. CLA/NH-44/2020/1748 dated 12-02-2020 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but some objections received from land owners showing their recession with regard to land. The matter was discussed in the meeting with NHAI was held on 28-01-2020 and the National Highway Authority has informed that the same land is urgently required due to the change of alignment thereafter the objections under section 5-A have been disposed off;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Ramban vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Ramban vide No. DC/LA/Rbn/611-12 dated 19-02-2020, Divisional Commissioner, Jammu vide No. 502/4157/NH/Neera/Rbn/20/4461 dated 24-02-2020 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5173/2020 dated 14-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for widening of National Highway.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 15 Kanals and 06.5 Marlas in Village Neera, Tehsil and District Ramban, for widening of National Highway. Further, the Collector, Land Acquisition (ADC), Ramban is directed under section 7 of the said Act to take orders

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the notification under section 9 (2) of the said Act, the Collector will take possession of the aforementioned land in Village Neera, Tehsil and District Ramban, required for public purposes, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

Annexure-A
Particulars of the land

| District óóóóóóóó | Tehsil óóóóóóóóóóóó | Village óóóóóóóóóóóóóó | Kh. Nos. | Area óóóóóóóó |
|----------------------|------------------------|---------------------------|----------|------------------|
| 1 | 2 | 3 | 4 | 5 |
| ôôôôôô | ô ô ô ô ô ô | ô ô ô ô ô ô ô ô | | ô ô ô ô ô |
| | | | | K. M. |
| Ramban | Ramban | Neera | 398 | 02-14 |
| | | | 401 min | 00-16.5 |
| | | | 402 min | 01-00 |
| | | | 403 min | 06-02 |
| | | | 403 min | 00-10.5 |
| | | | 403 min | 00-08 |
| | | | 403 min | 00-08 |
| | | | 404 | 00-07.5 |
| | | | 413 | 03-00 |
| | | | | óóóóóóó |
| | | | Total | 15-06.5 |
| | | | | óóóóóóó |

όόόόόόό

Notification No. 163-Rev (LAJ) of 2020

Dated 16-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for construction of PWD (R&B) road from Sailu to Leundi situated at Village Bhikher, Tehsi1 Basholi, District Kathua;

Whereas, on the basis of an indent placed by Chief Engineer, PMGSY, Jammu, a notification under section 4 (1) was issued by the Collector, Land Acquisition (ADC), Basholi vide letter No. ADC/BSL/2019-20/237-46 dated 15-06-2019 read with corrigendum vide letter No. ADC/BSL/2019-20/254-62 dated 19-06-2019, for land measuring 15 Kanals, 18½ Marlas situated at Village Bhikher, Tehsil Basholi, District Kathua, for construction of PWD (R&B) road from Sailu to Leundi;

Whereas, the Collector, Land Acquisition (ADC), Basholi vide letter No. ADC/BSL/2019-20/37 dated 22-10-2019, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Bhaderwah vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Kathua vide No. DCK/LA/2019-20/1799-1802 dated 30-10-2019 Divisional Commissioner, Jammu vide No. 502/4016/Bhikher/Kathua/19/4121 dated 31-12-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5146/2020 dated 06-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of PWD (R&B) road from Sallu to Leundi.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

Annexure-A

Particulars of the land

| 1 | 2 | Village | 4 | 5 |
|-----------|---------------|-----------------|---------------|------------------|
| 0 0 0 0 0 | 0 0 0 0 0 0 0 | ô ô ô ô ô ô ô ô | 0 0 0 0 0 0 0 | о о о о К. М. |
| Kathua | Basholi | Bhikher | 35 | 00-08 |
| | | | 36 | 00-001/2 |
| | | | 37 | 00-16 |
| | | | 38 | 00-12 |
| | | | 39 | 00-10 |
| | | | 42 | 00-04 |
| | | | 43 | 00-151/2 |
| | | | 45 | 00-001/2 |
| | | | 46 | 00-01 |
| | | | 47 | 00-011/2 |

| - | 1 Gazette, 4th March, 2021/13t | · · |
|-----------------------|--------------------------------|--------------------------|
| 1 2 | 3 4 | 5 |
| ô ô ô ô ô ô ô ô ô ô ô | | ô ô ô ô ô ô ô ô K. M. |
| | 48 | 00-07½ |
| | 49 | 00-03 |
| | 51 | 00-01 |
| | 52 | 00-04 |
| | 68 | 00-05 |
| | 698/651/588/135 | 00-01 |
| | 699/651/588/135 | 04-17 |
| | 650/588/135 | 06-11 |
| | | óóóóóó |
| | Total | 15-181/2 |
| | | óóóóóó |

óóóóóóóó

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATô REVENUE DEPARTMENT.

Notification No. 202-Rev (LAJ) of 2020 Dated 22-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for public purposes viz. for construction of Seri-Sincha road under PMGSY situated at Village Sincha, Tehsil and District Ramban;

Whereas on the basis of an indent placed by Chief Engineer, PMGSY (JKRRDA), Jammu, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Ramban, vide letter No. Acq/PMGSY/19/316-25 dated 10-10-2019, for land measuring 13 Kanals, situated in Village Sincha, Tehsil and District Ramban, for construction of Seri-Sincha road under PMGSY;

Whereas, the Collector, Land Acquisition (ACR), Ramban, vide No. Acq/PMGSY/19/417-20 dated 25-10-2019, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition

Whereas, the report furnished by Collector, Land Acquisition (ACR), Ramban, vide letter referred to above duly endorsed by District Collector, (DC), Ramban vide letter No. DC/LA/Rbn/424-25 dated 25-10-2019, Divisional Commissioner, Jammu vide No. 502/4021/Sincha/Ramban/19/3097 dated 21-12-2019 and by Financial Commissioner, Revenue vide No. FC-LS/LA/5105/2020 dated 04-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Seri-Sincha road under PMGSY situated at Village Sincha, Tehsil and District Ramban.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 13 Kanala, situated in Village Sincha, Tehsil and District Ramban for construction of Seri-Sincha road under PMGSY. Further, the Collector, Land Acquisition (ACR), Ramban is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/rules;

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the notification under section 9 (2) of the said Act, the Collector will take possession of the aforementioned land in Village Sincha, Tehsil and District Ramban, required for public purposes, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

Annexure-A

Particulars of the land

| 1 | 2 | óóóóóóóóóóóóó 3 | Kh. Nos. óóóóóóóóóóóóóóó 4 ô ô ô ô ô ô ô ô ô | 5 |
|--------|--------|--------------------|-------------------------------------------------------|----------|
| Ramban | Ramban | Sincha | 122 | 00-11 |
| | | | 125 | 01-12 |
| | | | 124 | 01-07 |
| | | | 133 min | 02-17 |
| | | | 133 min | 00-051/2 |
| | | | 134 | 01-08 |
| | | | 175 min | 00-171/2 |
| | | | 175 min | 02-02 |
| | | | 187 | 02-00 |
| | | | TC 4 1 | óóóóó |
| | | | Total | 13-00 |
| | | | | óóóóó |

óóóóóóó

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATÔ REVENUE DEPARTMENT.

Notification No. 208-Rev (LAJ) of 2020

Dated 24-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for construction of Mathola-Topri via

Whereas, on the basis of an indent placed by Chief Engineer, PWD (R&B), Jammu, a notification under section 4 (1) was issued by Collector, Land Acquisition (ADC), Bhaderwah, vide letter No. ADC/LAC/18-19/651-57 dated 01-10-2019 for land measuring 35 Kanals, 01 Marla in Village Mathola, Tehsil Bhaderwah, District Doda for construction of Mathola-Topri via Bhanderbagg link road under PWD (R&B);

Whereas, the Collector, Land Acquisition (ACR), Doda vide letter No. 1314/Acq dated 10-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act;

Whereas, the report furnished by Collector, Land Acquisition (ACR) Doda vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda vide No. 459/LAC/D/19 dated 21-10-2019, Divisional Commissioner, Jammu vide No. 502/3885/PWD/Mathola/D/19/2895-96 dated 27-11-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5174/2020 dated 11-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Mathola-Topri via Bhanderbagg link road under PWD (R&B).

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 35 Kanals, 01 Marla in Village Mathola, Tehsil Bhaderwah, District Doda for construction of Mathola-Topri via Bhanderbagg link road under PWD (R&B). Further, the Collector, Land Acquisition (ACR), Doda is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector, concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

Annexure-A

Particulars of the land

| District | Teh | sil | | | Vil | lag | e | | | | | K | h. | No | os. | | | Α | rea | a |
|----------------|------------|------|-----|----|------|---------|-----|----|----|----|----|----|----|----------|-----|-----|-----|-----|---------|-----|
| óóóóóóóóó 1 | óóóóó 2 | | óó | óό | óóóó | óć 3 | óó | óό | óó | óć | óó | óć | | óóó 4 | óć | óóó | óóć | óóó | óó 5 | óóó |
| ô ô ô ô ô | | | ô ô | ô | ô ô | - | ô | ô | ô | ô | ô | ô | | - | ô | ôô | ô | | | |
| Doda | Bha | derw | ah | | Ma | tho | ola | | | | | | | 56 | n | nin | | | 0-1 | |
| | | | | | | | | | | | | | | 57 | n | nin | | 00 | 0-0 | 9 |
| | | | | | | | | | | | | | | 58 | n | nin | | 0 | 1-1 | 1 |
| | | | | | | | | | | | | | | 71 | n | nin | | 0 | 1-0 | 1 |
| | | | | | | | | | | | | | | 71 | n | nin | | 00 | 0-1 | 2 |
| | | | | | | | | | | | | | | 71 | n | nin | | 00 | 0-1 | 2 |
| | | | | | | | | | | | | | | 71 | n | nin | | 00 | 0-0 | 6 |
| | | | | | | | | | | | | | | 72 | n | nin | | 0 | 1-0 | 8 |
| | | | | | | | | | | | | | | 72 | n | nin | | 0 | 1-0 |)2 |
| | | | | | | | | | | | | | | 114 | n | nin | | 0 | 1-0 |)5 |
| | | | | | | | | | | | | | | 118 | | | | 00 | 0-0 | 6 |
| | | | | | | | | | | | | | | 118 | n | nin | | 0 | 1-0 | 00 |
| | | | | | | | | | | | | | | 119 | n | nin | | 00 | 0-1 | 0 |
| | | | | | | | | | | | | | 1 | 120 | n | nin | | 00 | 0-1 | 3 |

| O | 00 | 00 | 00 | 00 | 2 | 00 | 00 | 00 | 00 | 00 | 00 | 3 | 00 | 00 | 00 | 00 | 00 | 00 | 4 | Ю | 000 | 000 | 00 | 0000 | 0000 5 | , |
|---|----|----|----|----|---|----|----|----|----|----|----|---|----|----|----|----|----|----|-----|--------------|-----|-----|----|------|-----------|---|
| ô | | ô | ô | ô | | ô | ô | ô | ô | ô | ô | | ô | ô | ô | ô | ô | ô | | ί | ôô | ô | ô | ô ô | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | M. | |
| | | | | | | | | | | | | | | | | | | | | | miı | | | 00- | | |
| | | | | | | | | | | | | | | | | | | | 122 | 2 | miı | n | | 00- | -19 | |
| | | | | | | | | | | | | | | | | | | | 150 | 5 | | | | 01- | -00 | |
| | | | | | | | | | | | | | | | | | | | 160 | 5 | mii | n | | 01- | -00 | |
| | | | | | | | | | | | | | | | | | | | 189 | 9 | mii | n | | 00- | -13 | |
| | | | | | | | | | | | | | | | | | | | 190 | 0 | | | | 00- | 17 | |
| | | | | | | | | | | | | | | | | | | | 19 | 1 | mii | n | | 00- | -09 | |
| | | | | | | | | | | | | | | | | | | | 19 | 1 | miı | n | | 01- | -04 | |
| | | | | | | | | | | | | | | | | | | | 19 | 1 | miı | n | | 00- | 10 | |
| | | | | | | | | | | | | | | | | | | | 194 | 4 | miı | n | | 00- | -08 | |
| | | | | | | | | | | | | | | | | | | | 195 | 5 | miı | n | | 01- | -00 | |
| | | | | | | | | | | | | | | | | | | | 224 | 4 | miı | n | | 00- | 16 | |
| | | | | | | | | | | | | | | | | | | | 224 | 4 | miı | n | | 02- | -03 | |
| | | | | | | | | | | | | | | | | | | | 225 | 5 | mii | n | | 00- | 10 | |
| | | | | | | | | | | | | | | | | | | | 226 | 6 | mii | n | | 01- | -04 | |
| | | | | | | | | | | | | | | | | | | | 229 | 9 | mii | n | | 00- | 11 | |
| | | | | | | | | | | | | | | | | | | | 230 | 0 | mii | n | | 00- | -07 | |
| | | | | | | | | | | | | | | | | | | | 230 | \mathbf{C} | mii | n | | 00- | -06 | |
| | | | | | | | | | | | | | | | | | | | 23 | 1 | mii | n | | 01- | -06 | |
| | | | | | | | | | | | | | | | | | | | 233 | 3 | | | | 00- | -15 | |
| | | | | | | | | | | | | | | | | | | | 233 | 3 | miı | n | | 00- | -05 | |
| | | | | | | | | | | | | | | | | | | | 234 | 4 | miı | n | | 00- | -06 | |
| | | | | | | | | | | | | | | | | | | | 235 | 5 | miı | n | | 00- | 12 | |
| | | | | | | | | | | | | | | | | | | | 235 | 5 | mii | n | | 01- | 11 | |
| | | | | | | | | | | | | | | | | | | | 235 | 5 | mii | n | | 00- | -02 | |
| | | | | | | | | | | | | | | | | | | | 235 | 5 | mii | n | | 00- | -06 | |
| | | | | | | | | | | | | | | | | | | | 35 | 7 | mii | n | | 00- | -06 | |

| No. 49] T | The J&K Officia | l Gazette, 4th | March, 2021/13th | Phal., 1942. 661 |
|-----------|-----------------|----------------|------------------|----------------------------------------|
| óóóóóóóó | óóóóóóóóóóóó | | óóóóóóóóóóóóóóó | óóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóó |
| 1 | 2 | 3 | 4 | 5 |
| ôôôôô | ô ô ô ô ô ô | ô ô ô ô ô ô | ô ô ô ô ô ô ô ô | ô ô ô ô ô ô ô |
| | | | | K. M. |
| | | | 362 | min 01-03 |
| | | | 363 | min 00-07 |
| | | | 406 | min 00-09 |
| | | | 406 | min 00-09 |
| | | | 406 | min 01-16 |
| | | | | óóóóó |
| | | | | Total 35-01 |
| | | | | óóóóó |
| | | | | |

óóóóóóóóó

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATô REVENUE DEPARTMENT.

Notification No. 207-Rev (LAJ) of 2020

Dated 24-06-2020.

Whereas, the land specifications whereof are given in Annexure-"A" to this notification is required for construction of road from Puneja to Bhallara under PWD (R&B) situated in Village Bhallarah Tehsil Chiralla, District Dada;

Whereas, on the basis of an indent placed by Executive Engineer, PWD (R&B), Division Bhaderwah, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Thathri, vide letter No. SDM/T/LAC/316-23 dated 12-10-2019 for land measuring 10 Kanals, 12 Marlas in Village Bhallarah, Tehsil Chiralla, District Doda for construction of Puneja to Bhallara under PWD (R&B);

Whereas, the Collector, Land Acquisition (SDM), Thathri, vide letter No. SDM/T/LAC/400-01 dated 25-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Thathri, vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda, vide No. 542/LAC/D/19 dated 28-10-2019, Divisional Commissioner, Jammu vide No. 502/3949/PWD/Bhallara/Doda/19/2913 dated 27-11-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5189/2020 dated 11-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of road from Puneja to Bhallara under PWD (R&B).

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 10 Kanals, 12 Marlas in Village Bhallarah, Tehsil Chiralla, District Doda for construction of road from Puneja to Bhallara under PWD (R&B). Further, the Collector, Land Acquisition (SDM), Thathri, is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

Annexure-A

Particulars of the land

| District | Tehsil | Village | Area | | | | |
|----------|-------------|---------------|-------------------|----------|--|--|--|
| óóóóóóóó | óóóóóóóóóó | óóóóóóóóóóóó | óóóóóóóóóóóóóó | δόόόόόόό | | | |
| 1 | 2 | 3 | 4 | 5 | | | |
| ôôôôô | ô ô ô ô ô ô | 0 0 0 0 0 0 0 | ô ô ô ô ô ô ô ô ô | ô ô ô ô | | | |
| | | | | K. M. | | | |
| Doda | Chiralla | Bhallara | 02 min | 01-02 | | | |

| No. 49] The J&K Official Gazette, 4th March, 20 | | |
|-------------------------------------------------|-------------|-------------------------|
| 1 2 3 | 4 | 5 |
| ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô | 6 6 6 6 6 6 | ôôôôô |
| | | K. M. |
| | 02 min | 01-10 |
| | 01 | 00-12 |
| | 02 min | 02-00 |
| | 19 | 00-15 |
| | 22 | 01-04 |
| | 21 | 01-03 |
| | 10 min | 00-19 |
| | 35 | 01-09 |
| | 36 | 00-18 |
| | 37 | 00-18 |
| | Total | όόόόό 10-12 όόόόό |

óóóóóóóóó

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATÔ REVENUE DEPARTMENT.

Notification No. 29-Rev (LAJ) of 2020

Dated 27-05-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for construction of Mandrana to Shiva Dal road under PWD (R&B) situated in Village Mohalla, Tehsil Mohalla, District Doda ;

Whereas, on the basis of an indent placed by Executive Engineer, PWD (R&B), Division Doda, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Doda, vide letter No. 1338-46/Acq dated 10-10-2019 for land measuring 71 Kanals, 13 Marlas in Village Mohalla, Tehsil and District Doda, for construction of Mandrana to Shiva Dal road under PWD;

Whereas, the Collector, Land Acquisition (ACR), Doda, vide letter No. 1673-78/Acq dated 26-10-2019 has reported that the notification issued

Whereas, the report furnished by Collector, Land Acquisition (ACR), Doda, vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Doda vide No. 552/LAC/D/19 dated 28-10-2019, Divisional Commissioner, Jammu vide No. 502/3953/PWD/Mohalla/Doda/19/2903-04 dated 27-11-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5182/2020 dated 19-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of Mandrana to Shiva Dal road under PWD.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 71 Kanals, 13 Marlas in Village Mohalla, Tehsil and District Doda, for construction of Mandrana to Shiva Dal road under PWD (R&B). Further, the Collector, Land Acquisition (ACR), Doda is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector, concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

Particulars of the land

| District óóóóóóóóó 1 2 | Tehsil óóóóóóóóóó 3 | Village óóóóóóóóóó 4 | Kh. Nos 666666666666666666666666666666666666 | |
|------------------------------|---------------------------|----------------------------|-------------------------------------------------|--------------------------|
| | _ | • | 0 0 0 0 0 0 0 0 0 | ò ô ô ô ô ô ô ô K. M. |
| Doda | Mohalla | Mohalla | n 1449 | 01-02 |
| | | | 1450 | 00-09 |
| | | | 1459 | 00-08 |
| | | | 1462 | 00-13 |
| | | | 1463 | 01-03 |
| | | | 1486 | 00-13 |
| | | | 1482 | min 00-05 |
| | | | 1485 | 02-08 |
| | | | 1512 | 00-15 |
| | | | 1506 | 03-01 |
| | | | 1537 | 01-15 |
| | | | 1720/1505 | min 00-09 |
| | | | 1721/1505 | min 00-16 |
| | | | 1721/1595 | min 02-00 |
| | | | 1721/1505 | 00-16 |
| | | | 1721/1505 | min 00-09 |
| | | | 1721/1505 | 00-19 |
| | | | 1721/1505 | 00-08 |
| | | | 1721/1505 | 00-11 |

| 666 The J&K Official Gazette, 4th March, 2021/13t 666666666666666666666666666666666666 | | |
|----------------------------------------------------------------------------------------|-----------|-------|
| ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô | ô ô ô ô ô | ôôôô |
| | | K. M. |
| 1721/150 |)5 | 01-11 |
| 1721/150 |)5 | 02-11 |
| 1723/156 | 56 | 01-06 |
| 1723/156 | 56 | 00-16 |
| 1723/156 | 56 | 01-04 |
| 1723/156 | 56 | 03-03 |
| 1723/156 | 56 | 00-05 |
| 1723/156 | 56 | 00-19 |
| 1723/156 | 56 | 04-17 |
| 1723/156 | 56 | 01-10 |
| 1723/156 | 56 | 00-05 |
| 1723/156 | 56 | 02-13 |
| 1723/156 | 56 | 01-00 |
| 1761/156 | 57 | 01-17 |
| 1761/156 | 57 | 01-13 |
| 1761/156 | 57 | 03-01 |
| 1761/156 | 57 | 00-03 |
| 1762/156 | 57 | 00-14 |
| 1762/156 | 57 | 01-09 |
| 162 | 28 min | 21-16 |
| | | óóóóó |
| | Total | 71-13 |
| | | óóóóó |

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATÔ REVENUE DEPARTMENT.

Notification No. 221-Rev (LAJ) of 2020

Dated 26-06-2020.

Whereas, the land, specifications whereof are given below to this notification is to be acquired for public purpose namely acquisition of additional land for muck dumping yard at Village Khanikote (Adit T-13) 5.82 HA approx., Tehsil Arnas, District Reasi;

Particulars of the land

X 7:11 - - -

District

Tabail

Khanikote (Adit T-13) 5.82 HA approx.;

| District | rensii | village | MIL INOS. | Area | |
|----------|------------|---------------|--------------|------------|--------|
| óóóóóóó | óóóóóóóóóó | óóóóóóóóóóóóó | óóóóóóóóóóó | óóóóóóóóóó | ,) |
| | | | | K. M. | |
| Reasi | Arnas | Khanikote | 92 | 08-18 | |
| | | 313 | /246/232/123 | 173-14 | |

όόόόTotal 182-12όόόό

I/h Nos

Whereas, on the basis of an indent placed by Deputy Chief Engineer, construction Northern Railway, Reasi, a notification under section 4 (1) was issued by Collector, Land Acquisition (ADC) Reasi, vide letter No. CLA/NR/ADC/Rsi/19-20/238-244 dated 02-10-2019 for land measuring 182 Kanals, 12 Marlas situated in Village Khanikote, Tehsil Arnas, District

Whereas, the Collector, Land Acquisition (ADC), Reasi, vide letter No. CLA/NR/ADC/RSI/19-20/872 dated 22-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act;

Reasi for acquisition of additional land for muck dumping yard at Village

Whereas, the report furnished by Collector, Land Acquisition (ADC), Reasi, vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Reasi, vide No. DC/Rsi/19-20/1560-65/SQ/SQ dated 04-11-2019 duly endorsed by Divisional Commissioner, Jammu vide

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for acquisition of additional land for muck dumping yard at Village Khanikote (Adit T-13) 5.82 HA approx.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 182 Kanals, 12 Marlas situated in Village Khanikote, Tehsil Arnas, District Reasi, for the land to be acquired namely acquisition of additional land for muck dumping yard at Village Khanikote (Adit T-13) 5.82 HA approx. Further, the Collector, Land Acquisition (ADC), Reasi is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector, concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATÔ REVENUE DEPARTMENT.

Notification No. 220-Rev (LAJ) of 2020

Dated 26-06-2020.

Whereas, the land, specifications whereof are are given below to this notification is required for construction of High School, Gurinal situated in Village Chhatroo, Tehsil Chhatroo, District Kishtwar;

| District | Tehsil | Village | Kh. No. | Area |
|----------|------------|--------------|---------------|------------|
| óóóóóóóó | óóóóóóóóóó | óóóóóóóóóóóó | óóóóóóóóóóóóó | óóóóóóóóóó |
| | | | | K. M. |
| Kishtwar | Chhatroo | Chhatroo | 3507/2240 | 01-12 |
| | | | | óóóóó |
| | | | Total | 01-12 |
| | | | | <u> </u> |

Whereas, on the basis of an indent placed by Chief Education Officer, Kishtwar, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Chhatroo, vide letter No. SDMC/LA/74-79 dated 20-06-2018 for land measuring 01 Kanal, 12 Marlas situated in Village Chhatroo, Tehsil Chhatroo, District Kishtwar for construction of High School Gurinal;

Whereas, the Collector, Land Acquisition (SDM), Chhatroo vide letter No. SDMC/LAC/19/193 dated 21-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act;

Whereas, the report furnished by Collector, Land Acquisition (SDM), Chhatroo vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Kishtwar, vide No. DCK/LA/2019/745-49 dated 22-10-2019, Divisional Commissioner, Jammu vide No. 502/3966/Acq/H. S. Gurina/Kisht/19/2596 dated 29-10-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5165/2020 dated 14-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of High School, Gurinal.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 01 Kanal, 12 Marlas situated in Village Chhatroo, Tehsil Chhatroo, District

However, the Collector, concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS, Principal Secretary to Government, Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR, CIVIL SECRETARIATÔ REVENUE DEPARTMENT.

Notification No. 219-Rev (LAJ) of 2020

Dated 26-06-2020.

Whereas, the land, specifications whereof are given in Annexure-"A" to this notification is required for construction of High School, Dumber situated in Village Chhatroo, Tehsil Chhatroo, District Kishtwar;

Whereas, on the basis of an indent placed by Chief Education Officer, Kishtwar, a notification under section 4 (1) was issued by Collector, Land Acquisition (SDM), Chhatroo, vide letter No. SDMC/LA/177-83 dated 17-04-2018 for land measuring 02 Kanals, 05 Marlas in Village Chhatroo, Tehsil Chhatroo, District Kishtwar for construction of High School, Dumber;

Whereas, the Collector, Land Acquisition (SDM), Chhatroo vide letter No. SDMC/LAC/19/191 dated 21-10-2019 has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/

Whereas, the report furnished by Collector, Land Acquisition (SDM), Chhatroo vide letter referred to above duly endorsed by District Collector, Land Acquisition (DC), Kishtwar vide No. DCK/LA/2019/750-54 dated 22-10-2019, Divisional Commissioner, Jammu vide No. 502/3867/Acq/H. S. Dumber/Kisht/19/2593 dated 29-10-2019 and Financial Commissioner, Revenue, J&K Jammu vide No. FC-LS/LA-5165/2020 dated 14-05-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of High School, Dumber.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 02 Kanals, 05 Marlas in Village Chhatroo, Tehsil Chhatroo, District Kishtwar, for construction of High School, Dumber. Further, the Collector, Land Acquisition (SDM), Chhatroo is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/rules;

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the notification under section 9 (2) of the said Act, the Collector will take possession of the aforementioned land in Village Chhatroo, Tehsil Chhatroo and District Kishtwar, required for public purposes, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector, concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case for making apportionment of compensation amongst all the interested

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government, Revenue Department.

Annexure-A

Particulars of the land

| District | Tehsil | Village | Kh. Nos. | Area |
|----------|------------|---------------|-------------------|----------|
| óóóóóóóó | όόόόόόόόόό | óóóóóóóóóóóó | δόόόόόόόόόόό | óóóóóóóó |
| 1 | 2 | 3 | 4 | 5 |
| ôôôôôô | ôôôôôôô | ô ô ô ô ô ô ô | ô ô ô ô ô ô ô ô ô | ô ô ô ô |
| | | | | K. M. |
| Kishtwar | Chhatroo | Chhatroo | 860 Min | 02-05 |



JAMMU AND KASHMIR OFFICIAL GAZETTE

Orders by Heads of Departments.

óóóóóó

CHARGE REPORTS

In pursuance of Government Order No. 93-JK (GAD) of 2021 dated 30-01-2021 issued by the General Administration Department vide endorsement No. GAD(Ser) Genl/104/2018-II dated 30-01-2021, I, Rejesh Sharma (KAS) do hereby assume the charge of the post of Custodian General, J&K today the 3rd of February, 2021 forenoon.

(Sd.) RAJESH SHARMA, KAS,

Custodian General, J&K, Jammu.

Certified that we have in the afternoon of this day respectively made over and received charge of the Office of Chief Medical Officer, Health and Family Welfare, Doda along with cash balance lying in Account No. CD-509 of Jammu and Kashmir Bank, Branch Ex-Doda as on 31-11-2020 A. N. of Rs. 95/- (Rupees Ninty-five) only last entry made in the cash book as well as drawal register.

The closing balance as on 30-11-2020 A. N. as per cash book and a per bank statement is Rs. 95/- (Rupees Ninety-five) only.

Memo of the balane for which responsibility is accepted by the Officer, Receiving Charge.

Permanent Advance: Rs. 95/- (Rupees Ninety-five) only.

| Station: Doda. | |
|--------------------|------------------------------------------------------------|
| Dated: 01-12-2020. | |
| | (Sd.) |
| | Chief Medical Officer, Health and Family Welfare, Doda. |
| | Relieved Officer. |

Chief Medical Officer, Health and Family Welfare, Doda. Relieving Officer.

(Sd.)



JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Thu., the 4th March, 2021/13th Phal., 1942. [No. 49

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART II—B

Notifications, Notices and Orders by the Heads of Departments.

ô ô ô ó GOVERNMENT OF JAMMU AND KASHMIR, STATE TAXES DEPARTMENT, EXCISE AND TAXATION COMPLEX, RAIL HEAD, PANAMA CHOWK, JAMMU.

Notification No. 86

In exercise of the powers conferred by sub-section (1) of section 44 of the Jammu and Kashmir Goods and Services Tax Act, 2017 (Act No. V 2017) (hereafter in this notification referred to as the said Act), read with rule 80 of the Jammu and Kashmir Goods and Services Tax Rules, 2017 (hereafter in this notification referred to as the said rules), I, Commissioner, on the recommendations of the Council, hereby extend the time limit for furnishing of the annual return specified under section 44 of the said Act read with rule 80 of the said rules, electronically through the common portal, for the fianancial year 2019-20 till 28-02-2021.

This notification shall deemed to have been issued w. e. f. 30th December, 2020.

(Sd.) P. K. BHAT, KAS, Commissioner State Taxes, Jammu and Kashmir.

ôôôô

DIRECTORATE OF FIRE AND EMERGENCY SERVICES, J&K UT, BATAMALLOO, SRINAGAR.

Subject :ô Absconding and resorting to unauthorized absence from duties by Shri Ajay Gupta, Fireman No. 453óDischarge from the rolls of Fire and Emergency Services Department thereof.

ô ô ô ô Order No. 717 (DGF&ES) of 2020 Dated 16-09-2020.

Whereas, Shri Ajay Gupta, Fireman No. 453 S/o Shri Bhagwan Dass R/o House No. 78, Ward No. 11, Udhampur was appointed as Fireman in the year 1998 by Directorate of J&K Fire Services vide Order No. 321 of 1998 dated 15-09-1998;

Whereas, during his posting at Fire and Emergency Services Headquarters, Gandhi Nagar, Jammu had proceeded one day casual leave on 30-12-2015, and was due to report back for his duties on 31-12-2015 which he failed and resorted to unauthorizedly absence w. e. f. 31-12-2015;

Whereas, as per the records, the said official was served attendance notice time and again, whileas he failed to defend himself;

Whereas, a detailed report/recommendations were received from the joint Director, Fire and Emergency Services, Jammu even dated 03-05-2017 regarding unauthrized absence of Shir Ajay Gupta (Fireman), which clearly indicates that he was not interested to serve in the department, so is liable for discharge from the rolls of the department;

Whereas, the said official again resumed his duties on his own õWillö at Fire and Emergency Services Headquarters, Gandhi Nagar, Jammu on 16-01-2018. Immediately after his joining he again remained unauthorized absent from duties ;

Whereas, the said official was served a charge-sheet even dated 16-03-2018 and in response, the explanation tendered by Shri Ajay Gupta, Fireman No. 453 seemed baseless and unacceptable.

Consequent upon the above, in light of Article 128 of J&K CSR Vol-I, Shri Ajay Gupta, Fireman No. 453 is hereby terminated from the Govt. Services/rolls of the department, from the date he remained on unauthorized absence from duty.

By order.

(Sd.) MOHAMMAD YAQOOB DAR,

Administrative Officer, Fire and Emergency Services, Srinagar.

ô ô ô ô

GOVERNMENT OF JAMMU AND KASHMIR, DIRECTORATE OF INDUSTRIES AND COMMERCE (REGISTRAR OF SOCIETIES/FIRMS, JAMMU), UDYOG BHAWAN, RAIL HEAD COMPLEX, JAMMU.

Notice

It is notified for the information of General Public that õM/s Jan Man Enterprisesö located at 809/A, Gandhi Nagar, Jammu, J&K has applied for recording changes in the constitution of their firm under section 63 of õThe Partnership Act, 1932ö, whereby (1) Sh. Harnaam Singh S/o Sh. Sadhu Singh R/o Gole Gujral, Near Matadoor Stand, has expired on 12-12-2017 and his name is proposed to be deleted w. e. f. 10-11-2020. Before the changes are recorded in the posting register of the Registrar of Firms, Jammu any person/persons having any objections shall file the same within 10 days from the date of publication of this notice in the Office of Registrar of Societies/Firms, Directorate of Industries and Commerce, Udyog Bhawan, Rail Head Complex, Jammu.

(Sd.)

For Registrar of Firms, J&K Government, Jammu.

ôôôô

GOVERNMENT OF JAMMU AND KASHMIR,

Ministry under Rehabilitation Office of Deputy Custodian, Evacuee Property, Rajouri.

Notification

In the pursuance of section 06 read with section 9A of the Jammu and Kashmir State Evacuees (Administration of Property) Act VI of 2006, the Deputy Custodian is pleased to notify for general information

the list of evacuees properties specified in the schedule annexed hereto, which have vested in him.

Schedule

S. No. Description

01 Four shops illegaly constructed over the evacuee property land under the Khasra No. 430 measuring 39*x10½* under the illegal occupation of

Village Rajal, Tehsil Nowshara, District Rajouri.

Location

Sh. Shokat Mohd S/o Faqir Mohd,

Sh. Nain Chand S/o Kahin Chand,

Sh. Jaswant Singh S/o Parveen Singh and Sh. Haq Nawaz Khan S/o Mohd Sadiq.

(Sd.) MOHAMMAD IQBAL HAJI,

Deputy Custodian, Evacuee Property, Rajouri.

ôôôô Notice

Date of Birth of my son has wrongly entered 20-01-2012 and fathers name has entered Jaan Mohammad Rather whileas his actual date of birth is 20-06-2012 and fathers correct name is John Mohammad Rather. Now I have applied for corrections. Anybody having any objection in this regard he may submit to Principal, G. D. Goneka Public School, Srinagar within 07 days. No Objection will be entertained after the said period.

It is certified that I have complied with other legal requirements in this connection.

> John Mohammad Rather R/o Dara, Harwan.

Notice

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices will remain solely, responsible for the legal consequences and also for any other misrepresentation etc.

By Order.

General Manager, Ranbir Govt. Press, Jammu.



JAMMU AND KASHMIR OFFICIAL GAZETTE

ADVERTISEMENTS—C

POLICE HEADQUARTERS, JAMMU AND KASHMIR, JAMMU

(Provision Section).

Extension Notice

Due to administrative reasons, the last of date for submission of online bids and opening of Technical Bids aganist NIT No. 01 of 2021 dated 18-01-2021 floated by this Headquarters for supply/installation/commissioning of Big Data Repository are re-scheduled as under :ô

- 1. Last date of receipt of tenders = 01-03-2021 up to 1800 hours.
- 2. Date of opening of technical bids = 03-03-2021 at 1100 hours. The other terms and conditions of the NIT shall remain the same.

(Sd.) RAYEES MOHAMMAD BHAT (IPS), AIG (Provision and Transport) For Director General of Police, J&K, Jammu.

JAMMU AND KASHMIR POLICE HEADQUARTERS

(Provision Section).

Clarification/Amendment Notice

In pursuance to receipt of queries from various intending bidders, clarifications/amendments are hereby made as per Annexure õA-ö to e-NIT No. 51 of 2020 dated 19-11-2020 floated by this Headquarters for the installation of CCTV Surveillance System at Raj Bhawan, Srinagar. The intending firms may visit Government e-Tender website https://jktenders.gov.in/tender id 2020_DGPJK_109603_1 for further details.

(Sd.) SOURABH PRASHAR (JKPS),

Dy. SP (Provision-Transport) For Director General of Police, PHQ, J&K, Jammu. عميمين عدي 233

رجٹر ڈنمبر ہے کے۔33



جمول وشميرگورنمنط گزي

جلد نمبر 133_ جمول - مورخه 4 مارچ 2021ء بمطابق 13 پچالگنا 1942 ويروار نمبر 49

اشتهارات

ازعدالت فارسط جودٌ پیشل مجسٹریٹ سرینگر سرکار بنام محمد مقبول بٹ وغیرہ سرکار بنام محمد مقبول بٹ وغیرہ علت نمبر 26 سال 2010ء تھانہ پولیس شیرگڑی بجرائم زیردفعات RPC = 120 B RPC فابطہ فوجداری وارنٹ گشتی عام زیردفعہ 512 ضابطہ فوجداری بخلاف ملزم: بشیراحمد ڈارولد غلام احمد ڈارسا کنہ جمانہ پورہ سرینگر

حُكم بنام المكاران بوليس بوئى جمول وكشمير

مقدمہ مندرجہ عنوان اُلصدر میں ملزم متذکرہ صدر عرصہ دراز سے غیر حاضر چلا آرہا ہے اُس کو بار ہابطریق معمول طلب کیا گیا ہے۔ اِلا تا ہنوز دستیاب نہ ہوا لیمیل کنندہ نے اپنے رپورٹ میں تحریری طورا ظہار کیا کہ ملزم مذکور کا کوئی انتہ پنتہ نہ ہے۔ اور اُس کی دستیا بی ناممکن ہے پیلک پراسکوٹر نے اپنے بیان میں سراجلاس اظہار کیا کہ ملزم مذکور مفرور ہے۔ اس طور عدالت مندا کواظمینان ہوا ہے کہ ملزم کو بطریق معمول طلب کرنا ناممکن ہے۔

لہذاتکم ہوا کہ ملزم متذکرہ صدراندر حدود UT جموں وکشمیر جہاں کہیں بھی دستیاب ہو، اُسے گرفتار کرکے عدالت مندا میں پیش کریں۔ درجہ رہے کہ وارنٹ مندا تا دستیا بی ملزم زیر کاررہے گا۔ تحریر اُلصدر 2021-08-08

دستخط: فارست جود يشل مجسٹريك سرينگر۔

ازعدالت ڈسٹر کٹ موبائل مجسٹریٹ ڈوڈہ

سركار بنام بهادرلعل وغيره علت نمبر 16 سال 2020 تقانه بوليس عسر

بجرائم زیردفعات IPC 366/376-D/344/386/313/109

وارنٹ ششی بمنشاء دفعہ 512 ض

بخلاف ملزم: در باری تعل ولد سائیس داس عرف دهاری ساکنه دهریال بد یال براهمنال مخصیل آر ایس بوره ضلع جمول ـ

بنام المكاران بوليس جمول وكشمير يوثي

مقدمہ مندرجہ عنوان اُلصدر میں ملزم متذکرہ بالا بعد ارتکاب جرم رو پوش ہو چکا ہے۔ دستیابی کی سردست کوئی امید نظر نہ آ رہی ہے اور ملزم متذکرہ بالا کی تغییل بطریق احسن ہونی مشکل ہی نہیں بلکہ ناممکن ہو چکی ہے۔ راقم کو بھی رپورٹ تغییل کنندہ کی نسبت بورہ اطمینان ہے کہ واقعی ملزم مٰدکور کی دستیابی بطریق احسن ہونی ناممکن ہے۔

لہذا اہلکاران پولیس ہوٹی جموں وکشمیرکو حکم واختیار دیا جاتا ہے کہ ملزم مذکور جہاں کہیں بھی اندر حدود ہوٹی جموں وکشمیر دستیاب ہوتو گرفنار کر کے عدالت مزامیں پیش کریں۔وارنٹ مذراتا دستیا بی ملزم زیر کارر ہے گا۔

آج مورخہ 2021-01-25 راقم کے دستخط ومہر عدالت سے جاری ہوا۔

دستخط: ڈسٹرکٹ موبائل مجسٹریٹ (ٹریفک) ڈوڈہ۔

ازعدالت سلى جج جو دريشل مجسٹريٹ درجہاوّل جمول سرکار بنام اليکس ويروغيره مثل نمبر 25/چالان تاريخ دائره 2021-00-20 علت نمبر 11 سال 2020 تھانہ يوليس پيرمٹھا جمول علت نمبر 11 سال 2020

u/s 341,323,201,34, IPC برائم زير دفعات .

وارنك مشى گرفتارى عام زىردفعه 512 ض ف

بخلاف ملزمان

- Ansalam @ Singhu S/o Rafiel
 R/o Christain colony Teh. & Distt. Jammu.
- 2- Jardon S/o Monu R/o Christain colony Teh. & Distt Jammu.

حُكم بنام المكاران پوليس جمول وتشمير يوني

مقدمہ مندرجہ عنوان اُلصدر میں ملز مان متذکرہ صدر کے خلاف برو ہے تھم امروزہ کاروائی زیر دفعہ 512 ض ف عمل میں لائی جا چکی ہے اور ملزم کے خلاف وارنٹ جاری کرنے کا تھم ہوا ہے جو کہ جاری کیا جاتا ہے۔

لہذا آپ کواصل وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ض ف کی روسے کھم واختیار دیا جاتا ہے کہ اگر ملز مان متذکرہ صدراندر حدود یوٹی جموں وکشمیر جب بھی اور جہاں کہیں بھی دستیاب ہوتو اس کے تحت ضابطہ گرفتار کر کے عدالت مذابیش کیا جاوئے۔وارنٹ مذاتا دستیا بی ملزم زیر کاررہے گا۔ تحریر

د ستخط: سٹی جج جوڑ کشل مجسٹریٹ درجہاوّ ل جموں۔



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Mon., the 18th Jan., 2021/28th Pausa, 1942. [No. 42-e

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIAT—LABOUR AND EMPLOYMENT DEPARTMENT

Notification

Jammu, the 18th of January, 2021.

SO-20.—In exercise of the powers conferred by Section 29 read with Section 31 of The Indian Boilers Act, 1923, the Government of Jammu and Kashmir hereby publish the following Rules for inviting suggestions/objections from all persons likely to be effected thereby; and

Notice is hereby given that the draft rules shall be taken into consideration after the expiry of the period of 30 days from the date on which the copies of the Official Gazette in which this notification is published are made to the public; and

Objections and suggestion, if any, may be addressed to Administrative Secretary, L&E Department, Civil Secretariat, Room No....... Srinagar/Jammu on or by email at secylejk@gmail.com.

Any objections/suggestions received after the expiry of the said period shall not be entertained.

CHAPTER I

Preliminary

- 1. Short title and extent and commencement.—(1) These rules may be called The Jammu & Kashmir Boiler Rules, 2021;
- (2) They shall extend to the whole of the Union Territory of Jammu & Kashmir;
- (3) They shall come into force with effect from the date of their publication in the Official Gazette.
- 2. **Definitions**.—In these rules, unless there is anything repugnant in the subject or context,—
 - (a) "Act" means The Indian Boilers Act, 1923 (Act V of 1923);
 - (b) "Regulation" means a regulation framed by the Central Boiler Board under section 28 of the Act;
 - (c) "Rule" means the Jammu & Kashmir Boiler Rules, 2020;
 - (d) "Section" means section of the Indian Boilers Act, 1923;
 - (e) "Appellate Authority" means an appellate authority prescribed in rule 3 of the Boiler Appeal Rules, 2013 (Central Rules);
 - (f) "Chief Inspector", "Deputy Chief Inspector", "Inspector", "Inspecting Authority", "Competent Person", "Competent Authority", "Owner" and "Prescribed" shall have the respective meaning as assigned in the Act and the Indian Boiler Regulations, 1950.

Words and Expressions used herein and not defined in these rules but defined in the Act and the Indian Boiler Regulations, 1950 shall have the same meaning assigned to them in the Act/Regulations respectively.

CHAPTER II

General

- 3. **Payment of fees.**—(1) All fees payable under the Act or any regulation or rule framed thereunder shall be deposited in a Government Treasury or through online payment gateway in the Union Territory of Jammu and Kashmir.
- (2) An Application under sections 7 or 8 of the Act, to which the receipt obtained on Payment of the prescribed fee is affixed, shall be deemed to be accompanied by the prescribed fee. All fees, costs and penalties levied under the Act shall be disposed of in such manner as the Government of Jammu and Kashmir may from time to time notify.
- 4. **Appointment of Chief Inspector, Deputy Chief Inspector, and Inspector.**—The appointment of Chief Inspector, Deputy Chief Inspector and Inspector of Boilers shall be regulated by The Chief Inspectors, Deputy Chief Inspectors, and Inspectors, (Qualification and Experience) Rules, 2012 issued by the Central Government:

Provided that the qualification and experience of a person already working as a Chief Inspector, Deputy Chief Inspector or an Inspector shall be governed by the existing recruitment rules in the Union territory of Jammu and Kashmir.

5. **Location of Offices**.—The location of the office headquarter/s shall be as follows:—

| S. No. | Area | Location | Officer-in-charge |
|--------|---------------------|--------------------------------------------|-------------------|
| 1. | Jammu Province | Mechanical Engineering | Chief Inspector |
| | Trovince | Department, Jammu | |
| 2. | Kashmir Province | Mechanical Engineering Department, Kashmir | Chief Inspector |

CHAPTER III

Duties of the Chief Inspector

- 6. **General Control.**—The Chief Inspector shall be vested with all the powers of a Deputy Chief Inspector and Inspector under the Act. His main duty, however, shall be supervising and controlling the work of Deputy Chief Inspectors and Inspectors, and he shall actually inspect or examine boilers, steam pipes or scantlings in exceptional cases, or where he considers that the work of a Deputy Chief Inspector or Inspector or Competent Person requires a personal check.
- 7. **Specific Duties of Chief Inspector**.—(1) The Chief Inspector shall
 - (a) personally check the registration particulars and measurements of all boilers inspected for registration as prescribed in Chapter IX of the Regulations and enter under his own signature the approved working pressure and all orders required by section 7 of the Act;
 - Note:—He may, however, authorize a Deputy Chief Inspector to undertake the above work and to make his recommendations in this behalf, to the Chief Inspector.
 - (b) enter under his own signature any subsequent entries required in the registration book;
 - (c) obtain from the registry, registration book of any boiler the transfer of which is reported under section 6(b) of the Act;
 - **Note :—**He may, however, authorize Deputy Chief Inspector/Inspector to undertake the above work.
 - (d) pass orders in all cases in which an Inspector or Deputy Chief Inspector proposes to increase or reduce the pressure allowed for any boiler or to revoke, cancel or refuse to renew the certificate of boiler under section 11, or to order important repairs, structural alterations, or renewals in a boiler;

- (e) decide all appeals as against the orders of Deputy Chief Inspector and Inspector under section 19;
- (f) sanction prosecutions under the Act;
- (g) enquire into serious accidents to boilers.
 - **Note**:—He may, however, authorize a Deputy Chief Inspector to inquire into such accidents who shall report in writing to the Chief Inspector the results of his inquiry.
- (h) approve the budget estimates for carrying out the purposes of the Act as drawn up by Deputy Chief Inspector of Boilers:
- (i) approve all plans and drawings for boilers and steam pipes and advise boiler owners or makers regarding the requirements of the Indian Boiler Regulations, 1950, on the design, material and construction for boilers to be installed or manufactured in the Union territory of Jammu and Kashmir.
 - **Note :—**He may, however, authorize a Deputy Chief Inspector to undertake the above work and to make his recommendations in this behalf, to the Chief Inspector.
- (2) As an Inspecting Authority, the Chief Inspector shall—
 - (a) approve all drawings and plans for construction of boilers or parts thereof submitted under Regulations 393 or 395;
 - (b) supervise and control the work of all Competent Persons in the construction of boilers, parts thereof, steam receivers, separators, and other like equipments;
 - (c) issue certificates in Forms II and III-A and countersign certificates in Form III of the Regulations for boilers, parts thereof, steam-pipes, steam receivers, separators, and other like equipments;
 - (e) advise the makers of boilers or of parts thereof or of steam receivers, separators and other like equipments with regard

to the provisions of the Regulations so far as they relate to their design and constructional features;

- (f) supervise and control the working of any testing laboratory set up for the testing and examination of boilers or parts thereof under construction;
- (g) examine and approve all reports, regarding examination of boilers, parts thereof under construction in stages as enumerated in Appendix 'J' of the Regulations.
- 8. **Instructions to owners.**—It shall be the duty of the Chief Inspector to advise owners regarding the maintenance, working and cleaning of boilers. He shall issue a set of instructions on the lines indicated in Form C appended to these rules and these instructions should be hung up in each boilers house.
- 9. **Registers to be kept.**—(1) The Chief Inspector shall keep in his office,—
 - (a) a register in Form-A I of all boilers registered in the Union territory of Jammu and Kashmir, or the registry of which has been transferred from another State/UT;
 - (b) the registration book and memorandum of Inspection book of all boilers borne on his register;
 - (c) a register of appeals;
 - (d) a register of accidents;
 - (e) a register of registration and inspection fees received.
- (2) As an Inspecting Authority, the Chief Inspector shall keep in his office.—
 - (a) a register in Form-A II of boilers and scantlings manufactured in Union territory of Jammu and Kashmir;
 - (b) a register of all tests carried out to test specimens against the boilers under manufacture;

- (c) a register of radiographic and non-destructive examination carried out with the result thereof against each boiler of welded construction under manufacture;
- (d) a register of drawings and plans of boilers approved;
- (e) a register of examination fees received in connection with construction of boilers, steam pipes or parts thereof;
- (f) a schedule of stage examination of boilers or parts thereof in accordance with the provisions laid down under Appendix 'J' of the Regulations.
- 10. **Control of bills.**—The Chief Inspector shall be the controlling or countersigning authority in respect of all contingent bills and of travelling allowance bills of officers subordinate to him.
- 11. **Establishment under the Chief Inspector of Boilers.**—The Chief Inspector shall from time to time prepare and submit for the sanction of the Government of Jammu and Kashmir a Schedule of the establishment and salaries which he considers necessary for carrying out the purposes of the Act.

CHAPTER IV

Duties of deputy chief inspectors

- 12. **Subordinate to Chief Inspector.**—The Deputy Chief Inspectors shall be directly subordinate to and under the control of the Chief Inspector. They shall be vested with all the powers of Inspectors under the Act. Their main duties shall be to scrutinize the work of Inspectors and other Competent Persons in the matter of inspection, examination and certification of boilers, steam pipes, scantlings and economisers and to make their observations available to the Chief Inspector, where necessary. They shall also carry out normal inspection work to such extent as may be considered necessary by the Chief Inspector of Boilers.
 - 13. **General duties**.—The Deputy Chief Inspector shall,—
 - (a) obtain the Memorandum of Inspection or Registration Book of a boiler which has been registered in another State/

8

- Union territory and the subsequent transfer of which to this Union territory is reported under section 6(c) when so directed by the Chief Inspector (See Regulation 388);
- (b) pass orders in all cases for which it is reported that after due notice the boiler has not been properly prepared for inspection;
- (c) examine and countersign the Inspector's Memorandum of Inspection book of each boiler after each inspection;
- (d) prepare the budget estimates for carrying out the purposes of the Act;
- (e) dispose of all leave applications of the non-gazetted staff;
- (f) when authorized by the Chief Inspector, enquire into serious accidents to boilers within his jurisdiction and report in writing to the Chief Inspector the results of the inquiry;
- (g) when authorized by the Chief Inspector, check all plans and drawings for boilers, steam pipes and economisers;
- (h) check and examine certificates in Forms III, III-A and III-B and extracts of Form IV as required under the regulations and submit these documents to the Chief Inspector of Boilers within fortnight of their receipt from makers;
- (i) generally assist the Chief Inspector in the administration of the Act;
- (j) may from time to time, examine boilers in commission to ascertain if they are being operated in conformity with the terms and conditions specified in the certificate and advise owners on the safety in operation, good maintenance and periodic cleaning of boilers and feed water treatment.

CHAPTER V

Duties of inspectors

14. **Subordinate to Chief Inspector.**—The Inspectors shall be directly subordinate to and under the control of the Chief Inspector.

They shall ordinarily be appointed to take charge of specific areas. The main duties of Inspectors shall be the inspection and examination of boilers, steam-pipes and economisers. Inspections shall be carried out strictly in accordance with these rules and Chapter IX of the Regulations.

- 15. Inspectors to see that boilers are worked according to law.—In addition to the inspection and examination of boilers, it is the duty of Inspectors to search for unregistered or uncertified boilers within their areas, and to see that certificated boilers are working in accordance with the terms of their certificates. The Inspector shall submit a report on such visits to the Chief Inspector.
- 16. **Inspectors to advise owners.**—At the time of inspection, Inspectors should advice the owner and the person in-charge of the boiler of the management and upkeep of the boiler with special reference to the amount of cleaning required in view of the quality of water use.

17. **Specific duties**.—(1) The Inspector shall,—

- (a) maintain a Memorandum of Inspection Book for each boiler under their charge and submit it to the Deputy Chief Inspector for examination and counter signature after each inspection;
- (b) receive applications for registration or inspection under section 7 or 8, proposals or repairs, alterations, or renewals to boiler components under sections 12 and 13, and reports of accidents under section 18;
- (c) enquire into accidents to boilers and steam-pipes and report to the Chief Inspector or Deputy Chief Inspector;
- (d) report to the Chief Inspector cases of unreported accidents discovered at the time of inspection;
- (e) submit for the orders of the Chief Inspector—
 - (i) memorandum of Inspection Books of all boilers proposed for registration;

- (ii) proposals for increasing or decreasing the pressure of a boiler after inspection;
- (iii) proposals for necessary repairs, structural alteration or renewals to a boiler;
- (iv) proposals for refusing to renew a certificate under section 8 or revoking a certificate or provisional order;
- (v) report when boilers have not been properly prepared for inspection;
- (vi) proposals for prosecutions under the Act.
- (2) As a Competent Person, the Inspector shall,—
 - (a) prepare a programme of stage examination with regard to the convenience of the makers generally and submit it to the Inspecting Authority for approval at such periods as he may fix;
 - (b) maintain a schedule of such examination of boilers or parts thereof in Form-D (See Appendix 'J' of the Regulations);
 - (c) maintain a diary of examinations carried out for monthly submission to the Inspecting Authority, showing places visited, boilers or parts thereof examined and any other important matter;
 - (e) submit to the Inspecting Authority, reports in Form E on the results of the examinations carried out on boilers or parts thereof in accordance with the standards laid down in the regulations and with particular reference to variations therefrom;
 - (f) report the results of tests carried out to materials or scantlings in his presence;
 - (g) maintain a record of all tests-both destructive and nondestructive-carried out by him or under his supervision;
 - (h) when radiographic examinations are carried out to boilers or parts thereof give his opinion in writing to the Inspecting Authority with regard to the acceptability or otherwise of the parts examined in Form-E.

- 18. **Inspection at special times.**—No examination of boiler shall be made by an Inspector for the purpose of registering or issuing a certificate for a boiler or of steam feed and blow off pipes under fabrication, or of boiler mountings and fittings under manufacture or of a boiler or its component under fabrication on a Sunday or gazetted Public holiday or between the hours of sunset and sunrise without the specific orders of the Chief Inspector in each case.
- 19. Attendance during hearing of appeals.—Under orders of the Chief Inspector, the Deputy Chief Inspectors and/or Inspectors shall attend the hearing of appeals with regard to boilers under their charge before the Chief Inspector or the Appellate Authority.
- 20. **Registers to be kept.**—Every Inspector in charge of an office shall keep—
 - (a) a register in Form-A of all registered boilers situated within his jurisdiction;
 - (b) a register of accidents;
 - (c) a register of registrations and inspection fees received.

CHAPTER VI

Administrative Instructions for Registration

- 21. **Importance of registration**.—Technical regulations for the registration of boilers and the scale of fees for registration are prescribed in Chapter IX of the Regulations. The details of measurement recorded at the time of registration constitute a permanent record for the boiler and determine the original pressure at which the boiler is allowed to work. It is accordingly essential that the work should be done with the greatest care and precision.
- 22. **Receipt of applications.**—Applications for registration shall be made under section 7(1) of the Act to the office of the Chief Inspector where the boiler is located and shall be accompanied by a receipt of fee, specified in Chapter IX. No application shall be accepted without the receipt. No boiler shall be registered if on measurement the fee is found to be deficient, until the deficit has been paid. Any excess payment will be refunded as per Rule 50 of these rules.
- 23. **Necessity of avoiding delay**.—It is essential that no delay should occur in registration. The measurements required for registration

under section 7(3) should ordinarily be completed and the report submitted to the Chief' Inspector within 15 days of the receipt of the application complete in all respects; in no case should the interval exceed 30 days. The Chief Inspector should issue his orders under section 7(4) without delay.

- 24. **Register of registered boilers**.—The Chief Inspector shall maintain a Register of Registered boilers in serial order in Form A in two parts; in Part I (boilers originally registered in Jammu and Kashmir) the registered number of a boiler shall be the one immediately following the last serial number in the Register. Gap number due to boilers being broken up or transferred to other Union territories'/ States shall not be filled up. In Part II (boilers originally registered in other Union territories /states) entries shall be made as per rule 26 of these rules.
- 25. **Procedure on transfer of a boiler**.—(1) Whenever a boiler is transferred from another State/UT's into Union territory Jammu and Kashmir the owner shall, under section 6(b) of the Act, apply to the Chief Inspector for the registration of the transfer; the boiler cannot be used until registration has been effected. The Chief Inspector shall then obtain from the State/UT from which the boiler was transferred, the registration book and memorandum of Inspection book of the boiler before the boiler is permitted to be used.
- (2) Whenever any registered boiler is transferred, the transferee shall give an intimation of the transfer to the Chief Inspector within 15 days from the date on which the transfer takes effect and no fee shall be charged for recording an entry regarding such transfer in the Register of registered boilers.
- 26. Entry of transferred boiler in Register.—On receipt of the Registration and Memorandum of Inspection Books, the Chief Inspector shall enter the boiler under its original number in Part II of his Register, and shall instruct Inspector of the local area in which the boiler is situated to enter it similarly in his Register. The Registration book and Memorandum of Inspection Book shall be kept in the Chief Inspector's office.
- 27. **Note of transferred and dismantled boilers.**—Whenever a boiler has been transferred to another State/UT or broken up, the fact shall be noted in the Register. In the case of a boiler that has

been permanently dismantled, the Registration Book and the Memorandum of inspection book shall be destroyed.

CHAPTER VII

Administrative Instructions for Inspection

28. **Procedure at Inspection, Internal Inspection.**—The Detailed instructions for the inspection of boilers are contained in Chapter IX of the Regulations. However, the following general procedure at inspection should be observed:—

At a thorough inspection of a boiler, the Inspector should, wherever the size and Construction of the boiler permit, go inside it and make a thorough inspection of all its internal parts. But before doing so he should satisfy himself that proper provision has been made for disconnection from any other boiler under steam.

Should he find that proper provision for disconnection has not been made or that the boiler has not been properly cleaned or scaled or that it is unreasonably hot he should decline to proceed with the inspection and should report the facts to the Chief Inspector for orders under section 14(2).

When a boiler is of such a size or its construction is such that the Inspector cannot go inside it there must be sufficient sight holes or hand holes provided enable him to see the principal internal parts. If any important part of a boiler is so constructed that the Inspector cannot examine it, he should report that facts to the Chief Inspector for orders.

29. **External inspection.**—Boilers must be examined externally as well as internally; particular attention should be paid to the external parts of the boilers, wherein contact with seating blocks and brick work, especially when the situation is damp. Having regard to any serious defects discovered, Inspectors should take care, in order to ensure proper inspection, that boilers, of which the whole of the outside cannot be readily examined, are cleaned whenever they consider it necessary of any concealing covering, supports or fittings. Saddle tanks and engine fittings of locomotive type boilers should be removed for inspection of the parts underneath at the first inspection

and at any reasonable period afterwards if the Inspector cannot satisfy himself. If the Owners in any special case have any good reasons for not wishing to clear covered parts, the case should be submitted to the Chief Inspector for orders. The Inspector must keep in mind that he is not to certify as efficient any boiler regarding the condition of which he cannot thoroughly satisfy himself.

- 30. **Inspection of a battery of boilers.**—At the inspection of one boiler of a battery of boilers, the Inspector should take the opportunity of examining the other boilers under steam with special reference to the water gauges, pressure gauges, safety valves and steam piping.
- 31. **Proposals for reduction of pressure.**—When the Inspector decides that a boiler in one or more of its parts is no longer fit for the pressure approved for it, he should, without delay, report his proposals for reducing the pressure to the Chief Inspector and at the same time submit this calculations for the wasted parts for check and approval of pressure. With regard to fitting and wasting of shell plates, the Inspector must bear in mind that shell plates ordinarily are considerably stronger in the body of the plate, owing to being unpierced, that at the seams and consequently may become reduced in thickness to an appreciable extent in the body of the plate i.e., elsewhere than at the seams and still be stronger than the seam.
- 32. **Repairs to boilers.**—Under section 12 of the Act, the sanction of the Chief Inspector to all repairs proposed for boilers must be obtained before hand.

A few water tubes or smoke tubes, however, may in an emergency be renewed pending the sanction of the Chief Inspector but all such cases must be reported immediately to the Chief Inspector who may, if he deems fit, notify his sanction to the owner without verification of the renewals by the Inspector.

Generally in repairing boilers the object to be obtained is to make up for damage or wastage by suitable compensation, either by renewal or repair of the part affected. Covering patches applied with the object of hiding defects are a source of danger and must not be passed. Welding by electric and oxy-acetylene processes may be employed in the repairs of boilers, but, as the efficiency of the welding depends largely on the skill and care of the operator each case will have to be decided on its merits.

Proper attention must be paid to the annealing of welded parts. The Inspector should, wherever possible, be present during some part at least, of the welding operations.

Extensive repairs such as renewal of furnaces, and plates, parts of shell fire-boxes, girders, etc., should be supervised, so far as other duties permit, by the Inspector and at such time when fire-boxes and smoke tubes of locomotive-type boilers are withdrawn, advantage of the opportunity should be taken to inspect the internal parts otherwise inaccessible to close inspection.

Repairs to boilers are prescribed in Chapter IX, Regulation 392 of the Regulation.

33. Entries in memorandum of inspection books.—The Inspector shall, as soon as convenient after an inspection, make the necessary entries in the Memorandum of Inspection Book for the boiler and submit the book to the Chief Inspector. Care should be taken to preserve the books and to keep them clean. Inspection notes should be taken to preserve the books and to keep them clean. Inspection notes should briefly state to what extent boilers were cleared of brick-work. Lagging or concealing parts; the general condition of the boiler; parts requiring attention of repair and if special preparation is required at the next inspection.

[Inspectors should also note, in the Memorandum of Inspection books all casual visits, inspections of steam pipes, visits for inspection of repairs, inquiry into accidents, etc., and so provide a useful record of the history for the boiler of the information and guidance of Inspectors at subsequent inspections].

In making inspections it is important that the Inspector should pay particular attention to entries make in the memorandum of Inspection book at previous inspection.

34. Entries in certificates.—In addition to the entries required to be made under Regulation-389 in a certificate for a boiler, the Inspector should state in the remarks column his requirements, if any, with regard to hydraulic test, removal of lagging, brick-work or other concealing part for the next inspection to enable the owner to have the same properly prepared at that time. He should also state in the same place his requirements regarding the repair or renewal of any part that may be considered fit only for the period of the certificate.

In the repairs column should be entered the year of repairs and description of repairs effected. Only important repairs should be noted.

His remarks should be brief. In the absence of remarks on the condition of boiler, the boiler will be considered to be in good condition.

- 35. **Engraving of registry number**.—Paper slips of the proper size bearing the registry number allotted for a boiler will be supplied by the Chief Inspector. The slip should be pasted on the part of the boiler pointed out by the Inspector and the device traced through with a cutting tool. The engraving should then be completed by the removal to the prescribed depth of the metal between the traced lines.
- 36. **Arranging for inspections**.—In arranging for inspection particular attention should be paid to the provisions of rule 17. The notice required by sections 7 and 8 shall be sent in Form B. If a hydraulic test is necessary in addition to the ordinary inspection, ample notice must be given to the owner.
- 37. **Issue of certificates and provisional orders**.—(1) All certificates shall be issued after being countersigned by the Chief Inspector.
- (2) A provisional order shall be issued in each case of registration after the hydraulic test of boiler and inspection of steam pipes and feed pipes connected to the boiler upon the certificate of the Inspector. The steam test may be taken at any convenient time within the period of the provisional order, after which, if the test is satisfactory, the certificate under section 7 shall be issued.

- (3) A provisional order shall also be issued after each completed inspection for renewal of certificates so as to give authority for the use of the boiler pending the issue of certificate under section 8. Where he proposes to issue a provisional order, the Inspector must satisfy himself that the boiler is fit to be worked at the maximum pressure and for the period entered in the provisional order. The fact of issue of a provisional order must be reported immediately to the Chief Inspector.
- (4) The period specified in any certificate or provisional order shall begin on the day on which the completed hydraulic test and thorough inspection of boiler or inspection of steam and feed pipes is made.
- 38. Provisional orders to be issued after hydraulic test.—Provisional order should be issued in every case of registration after hydraulic test of boiler if the Inspector is satisfied. The steam test may be witnessed at any convenient time within the period of the provisional order after which if test is satisfactory, the certificate under section 7(6) is to be issued.
- 39. Forms of provisional orders and certificates.—Provisional orders and certificates are prescribed in Forms V and VI, respectively of the Regulations but no such certificate or Provisional order authorizing the use of a boiler shall be issued unless and until the owner of boiler or agent thereof engages a qualified boiler attendant and gets his number registered with the Inspector.
- 40. **Duplicate certificates.**—A duplicate of any certificate granted under section 7 or 8 which is at the time in force shall be granted by the Chief Inspector on the application of the owner of the boiler if the Chief Inspector is satisfied that the duplicate is required for a *bona fide* purpose and the fee prescribed under Rule 48 is paid.

CHAPTER VIII

Administrative instructions for examination of boilers, Parts thereof, steam receivers, separators etc. by a Competent person

41. Procedure at Inspection.—

(a) The Competent Person shall carry out the examination of boilers, parts thereof, steam receivers, separators etc. in accordance with the detailed instructions and specifications

- as laid down in the Regulations. Previous to an examination he shall go through the remarks made in Form-D appended to these rules.
- (b) While examining materials he shall verify the acceptability of the materials from original test reports from steel makers in accordance with the requirements of the Regulations before stamping these materials.
- (c) When steel makers certificates in Form IV of the Regulations issued by well known steel makers or a recognised Inspecting Authority are available the materials may be stamped by him for use in the construction of boilers provided they are found to be in sound condition.
- (d) When materials used in construction of boilers or parts thereof are offered for tests, he shall record the test results in Form-F.
- (e) After each stage examination of a boiler or parts thereof, or of steam receivers, separators etc. he shall advise the makers on the spot to proceed on to the next stage in their construction provided he is satisfied that the standard of construction does not fall short of the requirements of the Regulations.
- (f) In cases where he finds the standard to fall short of requirements of the Regulations, his findings shall be reported to the Inspecting Authority immediately.
- (g) When radiographic examinations are carried out to parts which require such examination under the Regulations, the Competent Person in charge of radiographic examination shall personally check up the identification of the film exposed, to the part under examination and record these in his diary and also Form-G.
- (h) He shall also maintain a record in Form-G of all rectifications and repairs carried out by the manufacturer to welded seams after radiographic examinations (see Regulation 266).
- (i) On completion of a construction of a boiler, parts thereof, steam receivers or separators etc., he shall check up all details and enter particulars in Forms II, III, III-A or III-B of the Regulations before the signature or counter-signature by the Inspecting Authority.

CHAPTER IX

Fees

42. Fees for approval of and renewal.—The fees for the approval of following firms and renewal of its approval shall be calculated on the basis of rates levied in accordance with the following scale, namely:—

| S. No. | | Firm Type | Amount | |
|--------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--|
| 1 | | 2 | 3 | |
| (a) | (i) (ii) | For Approval of Firm for Pipe Fabrication For Renewal of Approval as Pipe | Rs. 5000/- | |
| | , | Fabrication Firm. | Rs. 5000/- | |
| (b) | (i) | For Approval of Firm as Boiler Repairer Firm. | | |
| | | Special Class Repairer | Rs. 15000/- | |
| | | Class I Repairer | Rs. 10000/- | |
| | | Class II Repairer | Rs. 5000/- | |
| | | Class III Repairer | Rs. 2500/- | |
| | (ii) | For Renewal of Approval as Boiler Repairer Firm. | | |
| | | Special Class Repairer | Rs. 7500/- | |
| | | Class I Repairer | Rs. 5000/- | |
| | | Class II Repairer | Rs. 2500/- | |
| | | Class III Repairer | Rs. 1250/- | |
| (c) | (i) | For Approval of Firms for Manufacture of Boilers. Economizers, Pipes, Tubes, Pressure Vessels & Heat Exchangers. | Rs. 20000/- | |
| | | _ | | |
| | (ii) | For Renewal of Approval of Firms for Manufacture of Boilers, Economizers, Pipes, Tubes, Pressure Vessels & Heat Exchangers. | Rs. 10000/- | |
| (d) | (i) | For Approval of Firms for Manufacture of Castings, Forgings, Valves, Cast, Forged & Plate flanges and such other fittings. | Rs. 5000/- | |
| | (ii) | For Renewal of Approval of Firms for Manufacture of Castings, Forgings, Valves, Cast, Forged & Plate flanges and such other fittings. | 3000/- | |

| 20 | The J& | &K Official Gazette, 18th Jan., 2021/28th Pausa, 194 | 42. [No. 42-e |
|-----|--------|-----------------------------------------------------------------------|---------------|
| 1 | | 2 | 3 |
| (e) | (i) | For Approval of Materials Testing Laboratory. | RS. 5000/- |
| | (ii) | For Renewal of Approval of Materials Testing Laboratory . | Rs. 3000/- |
| (f) | (i) | For Approval of Firm for Manufacture of Welding Electrode. | Rs. 5000/- |
| | (ii) | For Renewal of Approval of Firm for Manufacture of Welding Electrode. | Rs. 3000/- |

The approval of a firm as a repairer, fabricator or manufacturer shall be for a period of two years. Thereafter, the firm shall apply for renewal of its recognition atleast two months before the expiry of the said period.

43. **Fees for registration and renewal**.—(1) Fees for registration and first inspection of boilers shall be levied in accordance with the following scales, that is to say:—

| For Small Industrial Boilers as per Chapter XIV of Regulations. | Rs. 1200/- |
|------------------------------------------------------------------------------|------------|
| For boiler rating not exceeding 10 sq. metres. | Rs. 1800/- |
| For boiler rating exceeding 10 sq. metres but not exceeding 30 sq. metres. | Rs. 2400/- |
| For boiler rating exceeding 30 sq. metres but not exceeding 50 sq. metres. | Rs. 2700/- |
| For boiler rating exceeding 50 sq. metres but not exceeding 70 sq. metres. | Rs. 3300/- |
| For boiler rating exceeding 70 sq. metres but not exceeding 90 sq. metres. | Rs. 3900/- |
| For boiler rating exceeding 90 sq. metres but not exceeding 110 sq. metres. | Rs. 4500/- |
| For boiler rating exceeding 110 sq. metres but not exceeding 200 sq. metres. | Rs. 5100/- |
| For boiler rating exceeding 200 sq. metres but not exceeding 400 sq. metres. | Rs. 5700/- |

For the boiler rating exceeding 3000 sq. meters, an additional fee of Rs. 600/- for every additional 200 sq. metres or part there of shall be charged.

- (2) The fees for boilers under construction/modification at site—
 - (i) The inspection fee for boiler under manufacture at the works of manufacturer shall be charged at four times the inspection fee prescribed in clause (3).

- (ii) The inspection fee for the boiler under construction/modification at site shall be charged at four times the inspection fee prescribed in clause (3).
- (3) **Fees for Inspection/Renewal.**—Fees for inspection for renewal of certificate of boilers shall be calculated on the basis of rating and shall be levied in accordance with the following scale, that is to say:—

| For Small Industrial Boilers as per Chapter XIV of Regulations | Rs. 1000/- |
|-------------------------------------------------------------------------------|------------|
| For boiler rating not exceeding 10 sq. metres. | Rs. 1600/- |
| F or boiler rating exceeding 10 sq. metres but not exceeding 30 sq. metres. | Rs. 2100/- |
| For boiler rating exceeding 30 sq. metres but not exceeding 50 sq. metres. | Rs. 2400/- |
| For boiler rating exceeding 50 sq. metres but not exceeding 70 sq. metres. | Rs. 2700/- |
| For boiler rating exceeding 70 sq. metres but not exceeding 90 sq. metres. | Rs. 3400/- |
| For boiler rating exceeding 90 sq. metres but not exceeding 110 sq. metres. | Rs. 4000/- |
| For boiler rating exceeding 110 sq. metres but not exceeding 200 sq. metres. | Rs. 4500/- |
| For boiler rating exceeding 200 sq. metres but not exceeding 400 sq. metres. | Rs. 5000/- |
| For boiler rating exceeding 400 sq. metres but not exceeding 600 sq. metres. | Rs. 5800/- |
| For boiler rating exceeding 600 sq. metres but not exceeding 800 sq. metres. | Rs. 6300/- |
| For boiler rating exceeding 800 sq. metres but not exceeding 1000 sq. metres. | Rs.7100/- |

For boiler rating exceeding 1000 sq. metres but not exceeding Rs. 8400/-1200 sq. metres.

For boiler rating exceeding 1200 sq. metres but not exceeding Rs. 9500/-1400 sq. metres.

For boiler rating exceeding 1400 sq. metres but not exceeding Rs. 11100/-1600 sq. metres.

For boiler rating exceeding 1600 sq. metres but not exceeding Rs. 11900/-1800 sq. metres.

For boiler rating exceeding 1800 sq. metres but not exceeding Rs. 13200/-2000 sq. metres.

For boiler rating exceeding 2000 sq. metres but not exceeding Rs. 14300/-2200 sq. metres.

For boiler rating exceeding 2200 sq. metres but not exceeding Rs. 15800/-2400 sq. metres.

For boiler rating exceeding 2400 sq. metres but not exceeding $\,$ R s. 16600/-2600 sq. metres.

For boiler rating exceeding 2600 sq. metres but not exceeding Rs. 18000/-2800 sq. metres.

For boiler rating exceeding 2800 sq. metres but not exceeding Rs. 19000/-3000 sq. metres.

For the boiler rating exceeding 3000 square meters, an additional fee of Rs.500/- for every additional 200 sq. metres or part there of shall be charged:

Provided that where any owner is willing to accept a renewed certificate for less than twelve months in order to approximate the date of annual inspection to the date on which other boilers in the locality are inspected, a certificate for such period less than twelve months, as may be necessary for such approximation of dates may be granted on payment of half of the applicable fee.

(4) **Fees for testing of Pressure Gauges.**—A fee of Rs. 250/shall be charged for testing and certification of pressure Gauge with dial of not more than 150 mm and Rs. 500/- for exceeding 150 mm dial.

- (5) **Fees for inspection of pipes.**—The fees for inspection of pipes shall be charged in accordance with the following scales:—
 - (a) For fabricated pipes of nominal bore not exceeding 100 mm inclusive of all fittings; except fittings like steam separator, desuper heater, steam receiver, feed water heater and separately fired super heater shall be Rs. 500/- for 30 metres or part thereof.
 - (b) For fabricated pipes of nominal bore exceeding 100 mm inclusive of all fittings except fitting like steam separator, de-super heater, steam receiver, feed water heater and separately fired super heater shall be Rs. 1200/- for 30 metres or part thereof.
 - (c) Fee for inspection of fabricated fittings like steam separator, de-super heater, steam receiver, blow down tank, separately fired super heater and pressure reducing station during installation shall be charged at Rs. 2500/- per fitting.
- (6) Fees for inspection of boiler tubes shall be Rs. 360 per metric tonne or part thereof.
 - (7) Fees for inspection of valves shall be charged as under :—

(a) Upto and including 25 mm. Rs. 20/- per piece

(b) Over 25 mm and upto and including Rs. 60/- per piece 100 mm

(c) Over 100 mm and upto and including Rs. 400/- per piece 100 mm

(d) Over 250 mm. Rs. 1000/- per piece

- (8) Fees for inspection of flanges shall be charged as under—
 - (i) for forged and cast flanges,—
 - (a) Upto and including 25 mm for a batch of 50 or part thereof.
 - (b) Upto and including 25 mm for a batch of Rs. 520/-100 or part thereof.
 - (c) Over 25 mm upto and including 50 mm for Rs. 580/- a batch of 50 or part thereof.

- (d) Over 50 mm upto and including 100 mm for Rs. 580/part a batch of 25 or thereof.
- (e) Over 100 mm upto and including 250 mm Rs. 620/-10 or for a batch of part thereof.
- (f) Over 250 mm for a batch of 5 or part thereof. Rs. 720/-
- (ii) Fees for inspection of plate flanges shall be charged at half the rates as specified in clause (9) (i) above.

(9) Fees for inspection of fittings.—

- (a) Fees for inspection of forged pipe fittings shall be charged at the rates specified under clause (9) for forged and cast flanges;
- (b) Fees for inspection of pipe fittings other than forged pipe fittings shall be charged at the rate two times as specified under clause (9) for forged and cast flanges.

(10) Fees for inspection of feed water heaters.—

- (a) Fees for inspection of feed water heaters shall be charged at Rs. 10,000/- per heater.
- (11) Inspection fees for all types of coils, namely, economizer coils, superheater coils, reheater coils.—The inspection fees shall be charged at four times the fee for renewal of certificate on the basis of surface area as provided in rule 43 (3).
- (12) Scrutiny fees for approval of drawings.—Scrutiny fees for approval of different drawings shall be charged as under:—

| (a) Pipe lines | Rs. 200 for every 30 metres or part |
|----------------|-------------------------------------------|
| | thereof subject to a minimum of Rs. 5000/ |

- (b) Valve Rs. 300/- for each category.
- (c) Fittings Rs. 300/- for each category.
- (d) Boiler Equal to the inspection fee of the boiler as specified in clause (3).
- (e) De-super heater, Steam receiver. Separator Rs. 1000/- for each category.

- (13) Fees to be levied for unproductive visit.—Wherever any visit for inspection of a boiler or part thereof under fabrication, steam feed and blow off pipes under fabrication, or boiler mountings and fittings under manufacture is rendered unproductive due to the fault or neglect of a manufacture or fabricator of such materials, the Chief Inspector may require the manufacturer or fabricator, as the case may be, to pay in respect of such unproductive visit, the fees equal to the usual inspection fee prescribed in rule 43.
- (14) **Fees for testing of welders**.—Fees for testing of welders intending to get themselves qualified in accordance with the requirements of Chapter XIII of the Indian Boiler Regulations, 1950 shall be charged as Rs. 600/-.
- 44. **Fee to cover inspection and tests.**—A fee paid for the inspection of a boiler shall cover thorough inspection, hydraulic test and steam test where such are necessary, subject to the provisions of section 14(2).
- 45. **Second fee in default.**—A second fee will be leviable for reinspection in any case where the inspection of a boiler is begun, but owing to the fault or neglect of the owner or person-in-charge, is not completed within a period of six months from the date of commencement of inspection.
- 46. **Sanction of Chief Inspector to second fee**.—No second fee shall be levied except with the sanction of the Chief Inspector.
- 47. **Fee for copy of registration book**.—The fee for a copy of Registration Book excluding inspection notes and calculations shall be Rs. 100/-.
- 48. **Duplicate certificate fees.**—Fees for duplicate certificates shall be charged as under :—

| (a) | Certificate in Form No. III-A, III-B, | Rs. 200/- each |
|-----|---------------------------------------|----------------|
| | III-C and VI | |

(b) Certificate in Form No. II, III and IV Rs. 300/- each

(c) Certificate of qualified welders Rs. 200/- each

(d) Certificate of competency or Proficiency Rs. 200/- each

49. **Fee for endorsement.**—Fee for endorsement shall be charged as below and shall be borne by the applicant or sponsor, as the case may be. The certificate shall be endorsed by the concerned Chief Inspector of Boilers of the union territory of Jammu and Kashmir—

| (a) | Special Class Boiler Repairer | Rs. 5000/- |
|-----|-------------------------------|-----------------|
| (b) | Class-I Boiler Repairer | Rs. 4000/- |
| (c) | Class-II Boiler Repairer | Rs. 2000/- |
| (d) | Class-III Boiler Repairer | Rs. 1000/- |
| (e) | Welders Certificate | Rs. 200/- each. |

- 50. **Refund of Fees.**—Fees paid in excess and fees paid for an inspection which for any reason not due to any fault or omission of the owner or person-in- charge of the boiler has not been made, shall be refunded if applied for within one year from the date of payment.
- 51. **Fees for any other matter.**—For any other matter which in the opinion of the Government of Jammu and Kashmir would involve time and labour as provided for in the Act but not prescribed in these rules, the fees to be charged shall be at the discretion of the Government of Jammu and Kashmir.

CHAPTER X

Accidents

- 52. **Investigation of accidents.**—On the receipt of a report of an accident to a boiler or steam-pipe under section 18 of the Act, the Inspector should with the least possible delay, proceed to the place to investigate the accident. If the report is received by the Chief Inspector, he should forward it at once to the Deputy Chief Inspector or Inspector within whose jurisdiction the accident has occurred for necessary action.
- 53. **Procedure during inquiry.**—The Deputy Chief Inspector or Inspector at his inquiry shall take a careful examination of the damaged parts and shall take such measurements and make such sketches for the purpose of his report, as he may deem necessary. He shall inquire into the circumstances, attending the accident and note the time of its occurrence, its nature and extent, the injury caused to persons and the damage done to property. The report should be drawn up in proper manner giving full details

of the observation and his opinion on the cause and prevention of the accident.

- 54. **Power to hold inquiry in writing.**—The Deputy Chief Inspector and Inspector are authorized to take the written statements of witness and all persons immediately concerned with the accident. In order to comply with the provisions of section 18(2) of the Act the Deputy Chief Inspector or the Inspector should present to the owner or person-incharge of the boiler a series of written questions on all points that are material to the inquiry.
- 55. **Use of boiler after accident.**—The inspector should decide, whether the use of boiler after an accident can be permitted at the same or at a lower pressure only after the completion of repairs or alterations. In no case should the Inspector issue a provisional order or renewal certificate until his orders have been carried out.
- 56. **Procedure in case of serious accidents.**—The report should be sent without delay to the Chief Inspector, who, if he considers that the investigation has been sufficient he will record the facts in his register of accidents and enter a brief account of the accident in the registration book, a copy being made in the memorandum of inspection book. If, however, the accident is of a serious nature and in all cases in which an explosion has occurred, the Chief Inspector should, after receipt of the report from Deputy Chief Inspector's /Inspector's proceed to investigate the accident personally either alone or with the assistance of assessor/s as may be appointed for this purpose by the Government. Report of such inquiries should be recorded as indicated above
- 57. **Remuneration of Assessor.**—The Assessor/s appointed under Rule 56 shall be remunerated at such rate as may be determined by the Government and be allowed the traveling expenses incurred by him in attending the inquiry.
- 58. **Reference in Annual Report**.—A brief account of all accidents and their causes should be included in the Chief Inspector's Annual Report.
- 59. **Unreported accidents.** If in the course of an inspection or at any other time the Deputy Chief Inspector or the Inspector discover damage which comes within the definition of an accident but which has not been reported, he should immediacy report the facts at once to the Chief Inspector for action.

CHAPTER XI

Appeals

- 60. **Filing of appeal.**—Every petition of appeal shall be made in writing either in English or in the vernacular.
- 61. **Presentation of appeal.**—An appeal may be presented either personally or registered post to the Chief Inspector.
- 62. **Form of appeal.**—The petition of appeal shall be accompanied by the original order, notice or report appealed against or by a certified copy thereof or where no such order, notice or report has been made in writing by a clear statement of the facts appealed against the grounds of appeal and the referring section of the Act.
- 63. **Fixing date for hearing.**—On receipt of an appeal, the Chief Inspector, shall fix a date for hearing the appeal at the earliest. It is important that there should be no delay in the decision of appeals, as the stoppage of a boiler is likely to put the owner thereof to great inconvenience. The decision should ordinarily be given within 15 days from the receipt of the petition of appeal.
- 64. **Procedure before hearing.**—When the date for hearing has been fixed, the Chief Inspector shall issue a notice to the appellant stating the date for hearing and informing him that if he wishes to be heard in support of the appeal or to produce evidence, he must be present either in person or by authorized representative with his evidence on the date fixed. The notice shall be sent by registered post to such address as shall be entered in the petition of appeal.
- 65. **Presence of Deputy Chief Inspector/Inspector.**—In all appeals, the Chief Inspector shall decide whether the presence of the Deputy Chief Inspector or Inspector is necessary, and shall issue orders accordingly.
- 66. **Attendance of witnesses.**—The Chief Inspector shall have power to secure the attendance of witnesses and to make local inquiries under the provisions of the Code of Civil Procedure, 1908.
- 67. **Ex-parte decisions.**—If the appellant is not present on the date fixed, the appeal may be decided in ex-parte.
- 68. **Appellate Authority.**—The manner in which appeals shall be preferred to the Appellate Authority and the procedure to be followed shall be governed by the Boiler Appeal Rules, 2013 (Central Rules).

69. **Fees required for certificate granted on appeal**.—Any order on appeal authorizing the registering of a boiler or the grant or renewal of a certificate shall be deemed to be subject to the payment of such fees as are prescribed by rules or regulations framed under the Act.

CHAPTER XII

Boiler Operation Engineers' Rules and Boiler Attendants' rules

70. The provisions contained in the Boiler Attendants' Rules, 2011 and Boiler Operation Engineers' Rules, 2011 shall apply *mutatis and mutandis* under this Chapter.

CHAPTER XIII

Instructions For Approval and Renewal of Firms for Manufacture of Fabrication or Repairs of Boilers Etc.

- 71. **Approval of firms for pipe fabrication**.—(1) Application for approval of firm as Pipe Fabricator shall be accompanied by a receipted chalan for fee as prescribed in sub-clause (i) of clause (a) of Rule 42 and shall contain full information of the supervisory and operational staff employed and also the tools and plant possessed by the applicant firm as indicated in regulation 392 of the Indian Boiler Regulations, 1950.
- (2) If the Chief Inspector is satisfied with the equipment and supervisory personnel and quality of work done by the Organization, approval shall be granted subject to such conditions and limitations as may be prescribed by the Chief Inspector in his order. The approval thus granted shall be valid for a period of two years from the date of order and shall be renewed every two years.
- (3) Every application for renewal of approval as pipe fabricator shall be accompanied by a receipted challan for fee as prescribed in sub-clause (ii) of clause (a) of Rule 42 and shall contain full details in accordance with the provisions of sub-rule (1) for considering the renewal of approval by the Chief Inspector. The firm shall apply for renewal of their recognition at least two months before the expiry of the said period.
- (4) Any change in the supervisory and operational staff during the course of validity of the approval shall be communicated to the Chief Inspector within seven days from such change.
- 72. **Approval of firms for Boiler Repairs**.—(1) An application for approval as boiler repairer shall be accompanied by a receipted challan

for a fee as prescribed in sub clause (i) of clause (b) of Rule 42 and shall contain full information of the supervisory and operational staff employed and also the tools and the plant possessed by the applicant firm, as indicated in regulation 392 of the Indian Regulations, 1950.

- (2) If the Chief Inspector is satisfied with the equipment and supervisory personnel and quality of work done by the Organization, approval shall be granted subject to such conditions or limitations as may be prescribed by Chief Inspector in his order. The approval thus granted shall be valid for a period of two years from the date of order and shall be renewed every two years.
- (3) Every application for renewal of approvals as boiler repairer shall be accompanied by a receipted challan for fee as prescribed in sub-clause (ii) of clause (b) of Rule 42 and shall contain full details in accordance with the provisions of sub rule (1) for considering the renewal of approval by the Chief Inspector. The firm shall apply for renewal of their recognition at least two months before the expiry of the said period.
- (4) Any change in the supervisory operational staff during the course of validity of the approval shall be communicated to the Chief Inspector within seven days from such change.
- 73. Approval of firms for manufacture of Boilers or Economizers.—(1) An application for approval as manufacture of boilers or economisers shall be accompanied by a receipted challan for fee as prescribed in sub-clause (i) clause (c) of Rule 42 and shall contain full information of the supervisory and operational staff employed and also the tools and plant possessed by the applicant firm and such other information as may be called for by the Chief Inspector for considering the application.
- (2) If the Chief Inspector is satisfied with the equipment and supervisory personnel and quality of work done by the Organization, approval shall be granted subject to such conditions or limitations as may be prescribed by the Chief Inspector in his order. The approval thus granted shall be valid for a period of two years from the date of order and shall be renewed every two years.
- (3) Every application for renewal of approval as manufacture of boilers or economizers shall be accompanied by a receipted challan for fee as prescribed in sub clause (ii) of clause (c) of Rule 42 and shall contain full details in accordance with the provisions of sub-rule (1) for considering the renewal of approval by the Chief Inspector. The firm shall apply for renewal of their recognition at least two months before the expiry of the said period.

- (4) Any change in the supervisory and operational staff during the course of validity of the approval shall be communicated to the Chief Inspector within seven days from such change.
- 74. Approval of Firms for Manufacture of Castings, Forgings, Valves, Cast, Forged & Plate flanges and such other fittings.—
 (1) An application for registration of firm for manufacture of castings, forgings, valves, cast, forged and plate flanges and such other fittings shall be accompanied by a receipted challan for fee as prescribed in clause (d) of Rule 42 and shall contain full information of the supervisory and operational staff employed and also the tools and plant possessed by the applicant and such other information as may be called for by the Chief Inspector for considering the application.
- (2) If the Chief Inspector is satisfied with the equipment and supervisory personnel and quality of work done by the Organization, approval shall be granted subject to such conditions or limitations as may be prescribed by the Chief Inspector in his order. The approval thus granted shall be valid for a period of two years from the date of order and shall be renewed every two years.
- (3) Every application for renewal of approval as manufacture of castings, forgings, valves, cast, forged and plate flanges and such other fittings shall be accompanied by a receipted challan for fee as prescribed in sub-clause (ii) of clause (d) of Rule 42 and shall contain full details in accordance with the provisions of sub-rule (1) for considering the renewal of approval by the Chief Inspector. The firm shall apply for renewal of their recognition at least two months before the expiry of the said period.
- (4) Any change in the supervisory and operational staff during the course of validity of the approval shall be communicated to the Chief Inspector within seven days from such change.
- 75. Approval of firm for manufacture of Welding Electrode.—
 (1) An application for manufacture of plate flanges shall be accompanied by a receipted Challan for fee as prescribed in sub-clause (i) clause (f) of Rule 42 and shall contain full information of the supervisory and operational staff employed and also the tools and plant possessed by the applicant and such other information as may be called for by the Chief Inspector for considering the application.
- (2) If the Chief Inspector is satisfied with the equipment and supervisory personnel and quality of work done by the Organization, approval

shall be granted subject to such conditions or limitations as may be prescribed by the Chief Inspector in his order. The approval thus granted shall be valid for a period of two years from the date of order and shall be renewed every two years.

- (3) Every application for renewal of approval as manufacture of welding lectrode shall be accompanied by a receipted challan for fee as prescribed in sub-clause (ii) of clause (f) of Rule 42 and shall contain full details in accordance with the provisions of sub-rule (1) for considering the renewal of approval by the Chief Inspector. The firm shall apply for renewal of their recognition at least two months before the expiry of the said period.
- (4) Any change in the supervisory and operational staff during the course of validity of the approval shall be communicated to the Chief Inspector within seven days from such change.
- 76. **Withdrawal of Approval.**—Approval granted under the pregoing rules, shall be withdrawn if—
 - (i) the approval was obtained on furnishing incorrect or false information; or
 - (ii) no manufacturing activities or fabrication work or repair work was carried out for a continuous period of six months:

Provided that before any such order for withdrawal of approval is passed, the owner or person incharge of the organization shall be given due notice in writing calling upon the person concerned to show cause why an order for withdrawal of approval should not be made, the objections, if any, shall be considered and reasonable opportunity of being heard shall be given to such person by the Chief Inspector.

- 77. **Repeal and Savings**.—(1) The Registration of Boilers owned by Private Firms Rules, shall stand repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the rules, so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules.

| (Sd.) | |
|-------|--|
|-------|--|

Commissioner/Secretary to Government.

APPENDIX

FORM-A No. 1

INSPECTORATE OF BOILERS, JAMMU & KASHMIR

Register of Boilers Inspected

[$Rule\ 9(1)(a)$]

| Registry Number | Type of Boiler | Boil Rati | - | ame of ufacturer | Year and Place of Construction |
|-------------------------|----------------------|------------------|--------------------------|------------------|--------------------------------------|
| (1) | (2) | (3) |) | (4) | (5) |
| Date of Registration | | Name of Owner | Place where in use | (T1 | emarks ransfers, etc.) |
| (6) | | (7) | (8) | | (9) |

Part II of the Register Column (I) should contain registry numbers and letters.

FORM-A No. 2

INSPECTORATE OF BOILERS, JAMMU & KASHMIR

Register of Boilers & Scantlings Examined Under Construction

[Rule 9(2)(a)]

| Makers Number | Type of Boiler or Scantling | Boiler Rating | Name of Maker | | Date of Certification | Remarks |
|------------------|-----------------------------------|------------------|------------------|-----|--------------------------|---------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |

FORM-B

INSPECTORATE OF BOILERS, JAMMU & KASHMIR

| Notice for | Examination of Boiler under sections 7 and 8 (Rule 36) |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| No | Dated: |
| То | |
| | |
| Gentlemen | |
| premises w | reply to your application, dated |
| To en | able the examination to be made, you are found— |
| (a) | to afford to the Inspector all reasonable facilities for the examination and all such information as may reasonably be required of you: |
| (b) | to afford to the Inspector all reasonable facilities for the examination and all such information as may reasonably be required of you: |
| (c) | in the case of an application for the registration of a boiler, to provide such drawings, specifications, certificates and other particulars as may be prescribed. |
| Voucher No | o.—— in acknowledgment of Bank/Treasury Receipt No.—— |
| For Rs.— | — Accompanies. |

Chief Inspector of Boilers, Jammu and Kashmir (See reverse for preparation required).

REVERSE OF FORM-B

PREPARATION FOR EXAMINATION

See Chapter IX of the Regulations

(Regulation 376)

(A) Preparation for inspection

At every examination of a boiler for the grant of renewal of a certificate, the boiler shall be empty and thoroughly clean in all its parts. All doors of manholes, hand holes and sight holes and cleaning plugs and all caps in the headers and mud drums of water tube boilers, all fire bars, bearers, front plates, bridge plates, fire bridges, brick arches, oil fuel burners and mechanical stoker fittings shall be removed. All valves and cocks comprising the boiler mounting shall be opened up and taken apart and the valves or cocks ground, when necessary, before the Inspector's visit.

Provision shall, if required by the Inspector, be made for the removal of lagging or brickwork or other concealing part and for the drilling of plates and for verifying the pressure gauge and safety valve dimensions and weights. All smoke tubes, exterior of water tubes, smoke boxes and external flues shall be swept clean.

Provisions shall be made for the effective disconnection of all steam and hot water communication with any other boiler under steam, as prescribed in Chapter X of the Regulations. This shall be effected either by the removal of a length of pipe from the steam and feed piping or by the insertion or substantial blank flanges. Where blank flanges are employed, they shall be inserted between the flange of the chest and the pipe attached to it. No blank flange shall be inserted between a safety valve chest and the boiler.

In the case of forced flow and forced circulation types of boilers, provision shall be made for checking that proper circulation is maintained through all sections of the circuit by the flow of water.

Note:—These provisions to effective disconnection shall extend to every case wherein a person is sent or with the absent of the owner or person-in-charge goes into boiler for any purpose.

(See Part III of the Regulation)

36

(Regulation 378)

(B) Preparation for hydraulic test

The chest of all mountings subject to steam pressure shall be in place and shut tight or blind-flanged. The safety valves shall either be jammed down or removed and the chest opening blind-flanged. The attachment * for the Inspectors pressure gauge and nipple + for connecting the Inspectors test pump house shall be in order. All doors shall be properly jointed and tightened up. The boiler shall be completely filled with water, care being taken to allow all air to escape and, if possible, a preliminary test not exceeding the working pressure of the boiler be taken before the Inspector's visit to test the rightness of the joints. When a boiler is hydraulically tested for the first time, it shall be entirely cleared of lagging or brickworks; at subsequent tests the lagging or brickwork or portions thereof, shall be removed, if required by the Inspector.

Preparation now required (A), (B)

Note:—The last certificate for the boiler should be shown to the Inspector.

^{*}Tapped 19 mm White worth bolt and nut thread.

^{*}Tapped 22 mm White worth bolt and nut thread.

FORM-C

INSPECTORATE OF BOILERS, JAMMU & KASHMIR GENERAL WORKING OF BOILERS INSTRUCTIONS

(See Rule 8)

Instruction to Boiler Attendants:

These instructions should be frequently and carefully studied with a view to keeping in mind the precautions to be observed and ordinary procedure to be followed in the safe working of boilers.

Precautions before starting the Fires:

Before starting the fires in a boiler the attendants should.—

- (1) see that here is sufficient water in the boiler and that the gauge cocks are working freely;
- (2) ease safety valves, or open cock on top of boiler to allow air to escape;
- (3) see that the blow-off cock is fully closed and tight;
- (4) see that safety valves and fee check valve are free and workable;
- (5) note if the pressure gauge pointer is at zero;
- (6) see that the feed pump is in working order.

He must not rely on the supposition that the water he has previously put in it still in the boiler, as it may have run out without the knowledge through a leak or open cock, nor can he be sure that the gauge glass shows the true water level until he has tested it. This is done in the following manner; shut off the lower gauge cock and empty the glass by the drain cock; then shut the drain cock and open the gauge cock; if everything is in order, the water will then rise in the glass to the same height as before.

Raising steam.—In getting up steam in all types of boilers, the operation should be as gradual as circumstances will allow. Nothing turns a new boiler into an old one sooner than getting up steam too quickly. Forcing the fires when starting work is liable to cause straining of the steams and tubes of the boiler. In the case of large boilers generally steam should not be got up in less than six hours. Before getting up steam the water level should be observed, to ensure that water is at the proper heights, in the glass, the pressure gauge noted and the safety valves tried to see they are free. The blow-off cock should be examined to see that it is completely shut and tight.

Pressure gauge.—The pressure or steam gauge should be kept in order and be in such a position as to be easily seen by the boiler attendant. There should be a plain mark on it showing the highest pressure allowed for the boiler and the dial should be kept clean so that the figures may easily be read.

Steam pressure.—Ordinarily, the safety valves will prevent the steam from rising much above the working pressure, but if the steam gauge shows is rapid an increase of pressure as to indicate danger of exceeding the highest limit, water should be immediately fed into the boiler, and the dampers partially closed in order to diminish the effect of the fire. If however, the water has fallen so low that there is danger of an accident from this cause, the fires should be withdrawn before feeding in water the safety valves eased and if the engine is at rest, it should be started so as to reduce the pressure. The safety valves are provided to guard against over-pressure. They should be moved by hand every day so as to prevent them from sticking. If moved only occasionally, they are liable to leak.

The valve can be tested by slowly raising it a little and when let down, it should be closed perfectly tight. It should never be opened by a sudden knock or pull. If it does not close tight, turn it on its seat, until it first, or when its construction does not permit this, rise it slowly a few times and let it down again, but on no account must the valve be screwed down further or loaded more than what has been allowed by the Inspector.

Safety valves must never be over-loaded and spring valve should have ferrules or other provisions against the valves being screwed down too far. In case of an accident resulting from willful overloading culprit might be held criminally responsible at the official inquiry or inquest.

Low water safety valves.—If there is low water safety valves, test it occasionally by lowering the water level to see that valve begins to blow at the right point. It should give warning "before" the water level has sunk too low and before damage can be done when the boiler is open, examine the floats and lever and see that they are free and that they give the valve the full rise. With the ordinary type of high steam and low water safety valve the float should be down at its lowest position and the valve full open when the boiler is empty.

The water gauge.—These will be kept in best order by frequently blowing through. The cocks are thus kept in good working condition without leaking. Blow through the drain cock at the bottom of the gauge and shut and open the steam and water cocks every few hours. These cocks should be blown through more frequently when the water is dirty. Should either of the passage become choked, or whenever the water in the gauge glass moves sluggishly, the passage must be cleaned. This is best done with a wire. The gauge glass is so arranged that its top cock connects with the steam space and its bottom cock is below the water line. The water line will ordinarily be near the middle of the glass tube. Always test the glass water gauges thoroughly the first thing in the morning and at the commencement of every shift. This is done by first opening rain cock and then shutting the upper cock which should give water; the upper cock should then be opened and the bottom cock closed which should give steam, during this test the drain cock should be kept open.

If water and steam do not appear in proper order, the cocks are choked and the passage should be cleaned. To lessen the risk of breaking the gauge glass, the water cock should always be re-opened after the steam cock. Gauge glasses with a narrow white strip running the whole length of the glass on the side next the boiler are recommended as they show the water line more clearly specially when the water is dirty.

The boiler regulations framed by the Board require every water gauge glass to be fitted with, a guard to prevent injury to the attendants. See that it is always in place and clean when there is steam in the boiler.

Special Note.—It does not follow that there is plenty of water in the boiler because there is plenty of water in the gauge glass. The passages may be choked and empty gauge glasses are sometimes mistaken for full ones and explosions have resulted there from. Hence the importance of keeping the gauge, cocks perfectly tight and clean and of blowing through the test cocks frequently.

A large number of accidents have been due to inoperative water gauges and to negligence of the attendants is not carefully reading the water level. The blow-off cock.—The blow-off should be used daily if the water is at all dirty or sedimentary, especially with Locomotive type and Vertical Boilers as their narrow water spaces are liable to get choked with mud, which soon hardens into a solid mass. The amount of water to be blown out depends on the size of the boiler and can be determined only from experience. When blowing out the best result is obtained if the water has been at rest for some time (say before the engine is stared) thus giving the sediment time to settle, if the feed waters cleaned merely turn the cock round.

The scum cock.—When scum cocks are fitted, if the feed water is dirty, a little should be blown off daily; if the water is clean, merely turn the cock round. Before opening the scum cock, see that the water is at the height indicated by the water level pointer; otherwise the scumming will be ineffective. Water should be blown from the surface through the scum cock when steam is being drawn off, i.e. when the engine or other machinery is working.

Manhole and other door joints.—When making such joints the jointing materials should never be of round sectioned packing. Care must be taken that the spigot of the door is centrally placed in the hole, as many accidents have resulted from packing being blown out between the spigot and side of hole, even when the clearance was only 3 mm. The nuts must be carefully and evenly tightened. Further tightening should be made during the process of heating up the boiler when raising steam.

Steam-pipes.—When properly arranged should give no trouble. Frequently however, they are so designed as to contain pickets, in which, while out of use condensed steam accumulates. Such water is exceedingly, dangerous and great care should be taken to see that the pipes are properly drained before the stop-valve is opened otherwise "water hammer" will take place even with the best designed steam pipes, and disastrous explosions causing loss of life and property may occur.

Scale and grease.—Roughly speaking, scale offers a hundred times as much resistance to the passage of heat as does a similar thickness of the steel or iron. A 12 mm furnace plate covered with 2 mm. scale is as efficient a heat retarder as steel furnace 250 mm thick. Grease is about ten times worse than scale. In a boiler at work the temperature of a clean furnace plate is only slightly in excess of that of the water in the boiler; but if scale or grease is interposed between the water and the plate, the latter acquires a temperature more nearly approximately that of the flame with which it is

in contact. If the fire is fierce (artificial draught) the furnace tube may grow so hot that it elongates considerably. If in addition, cold air is admitted during each firing, a concerting action of the furnace takes place, which is one of the worst causes of boiler wear and tear.

Wear and Tear can be reduced and the life of a boiler prolonged if scale and grease are prevented from accumulating in a boiler. The combined effects of scale or grease and artificial draught are disastrous. Scale or grease also causes waste of fuel.

Grease.—A mixture of sedimentary water, soda and grease produces an adhesive scum, where this is suspected the water level should never be lowered below the furnace top unless the boiler is afterwards entered and this scum cleaned off the furnace plate before the firing again.

Scale removal.—The customary method is not a satisfactory one. The boiler is emptied and then cooled down by opening all the manholes, and the result is that the scale which would otherwise be soft, hardens through contact with the air and requires laborious chipping off.

A very effective, but slower method is to retain the water in the boiler until cool, and not to run it out until the men are ready to enter the boiler with water house brushers and scrapers. The scale will then be soft and easily removable.

If time is a consideration, the cooling can be accelerated by adding cold feed to the hot water in the boiler and slowly running off the cold water. Another method is to blow off the boiler with the lowest possible pressure (not more than 1 Kilogram per sq. cm.) and to keep it closed until cold. The scale will then be easily removed.

Treatment of feed water.—Many feed waters require soda or other chemicals to arrest corrosion or to change the nature of the scale.

There is no harmless chemical which will remove scale or sediment when it has once got into the boiler and the only effective process is to purify the feed water before it enters the boiler. By this means, the sediment, and generally too, the added chemical, can be deposited in tanks or in filters, and therefore never goes into the boiler, excepting when the water obtainable is very good, water-purifying apparatus ought to pay any boiler-owners, particularly at those works where three or more boilers are in constant work. Boiler owners wishing to have definite advice as to the best treatment

of their feed water should have it analyzed at some chemical laboratory and ascertain the best treatment in the particular circumstances.

Special attention is drawn to the not in frequent but very bad practice of allowing the waste steam from the Engine Cylinders or Pumps to be drained into the Boiler Fed Water Tanks. The waste steam from cylinders is always mixed with a certain amount of oily matter which will be deposited in the feed water tanks and ultimately be pumped into the boiler, with possible disastrous results, as it will be obvious to every careful boiler attendant that should the oil be deposited on the furnace crowns, they may become overheated and collapse.

It should be the first care of the boiler-owner, and the Boiler Attendant to see that the feed water is kept as pure as possible. Impure feed water means additional expense on the upkeep of the boiler.

Preservation of boilers when not in use.—Steam boilers when not in use are liable to deterioration from corrosion and unless well cared for and made rust-proof; they may depreciate more rapidly than when in use. They should be thoroughly drained and thoroughly dried and all valves, cocks and openings closed so as to exclude moisture. Another plan is to fill the boiler with water to which about 1/100 per cent caustic soda has been added.

Special instructions for Boiler.—Boiler should be opened up and thoroughly cleaned after a period of work which should not exceed (as indicated in certificate). A record of such clearings should be maintained and produced, when required by the Inspector.

FORM-D

INSPECTORATE OF BOILERS, JAMMU AND KASHMIR

Schedule of Stage Examination of Boilers or Scantlings under Construction

[Rule 17(b) (ii)]

| Maker's Name |
|-------------------------------------------------------------------------|
| Maker's No. of Boiler/Scantling |
| Type of Boiler/Scantling |
| Description of Boiler/Scantling including Heating Surface or Dimensions |
| Drawing No |
| Dates of Visit by Competent Person. |
| Name of Competent Person. |
| Stage of Inspection (See Appendix J of the Regulations). |
| Remarks. |
| Boiler/Scantling finally stamped onForm II and III signed on |
| Competent Person |
| Date |
| Copy forwarded to: Inspecting Authority. |

FORM-E

INSPECTORATE OF BOILERS, JAMMU AND KASHMIR

Examination Report on Materials or Boilers and Scantlings under Construction

[Rule 17(b)(iv)]

| | Report No |
|-------------------------------------------------|------------------|
| Description of Boilers, Scantlings or Materials | |
| Maker's Name, Maker's No | |
| Drawing No | |
| Date of Examination | |
| Description of Examination and/or Test. | |
| Remarks. | |
| | |
| | Competent Person |
| | Date |
| Copy forwarded to: Inspecting Authority. | |

46

FORM-F INSPECTORATE OF BOILERS, JAMMU AND KASHMIR

Report on Mechanical Tests

[Rule 41 (d)]

| | | | | ſ,, | (4) | | | | |
|--------------|--------|---------------|-------------------------------|-----------------|-------------|---------------|----------------|------------------------------------------|-----------------|
| Description | of Ma | aterial Tes | sted at | | | | | | |
| Description | of Par | t to whic | h the Material rela | ates | | | | | |
| Date of Te | st | | Identificati | on of Ma | rk | | Test Repo | rt No | |
| Dimen | sions | Temp. | | Tensile | | | Bend | | |
| of T piec | | of Test °C | Dia. of section | Gauge Length | Area | Section | Dia. of former | Cold or Temper | Izod Section |
| 1 | | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| Cast No. | Plate | | Tensile Test kg/cm² eld. Ulti | mate. | Elong. %age | Reduc of A | | ardness & vpe of Test kg/cm ² | Remarks |
| 1 | 2 | 2 | 3 | 4 | 5 | 6 | | 7 | 8 |
| Specified | Requir | ements | | | | | | | |

| Cast Plate No. No. | Test No. | Forward or Reverse Bend | Angle throu bend and if | - | Elongation | %age | Remarks |
|--------------------------------------------------------------------|-------------|-------------------------|-------------------------|----|-------------|-------------|---------|
| 1 2 | 3 | 4 | 5 | | 6 | 7 | 8 |
| Condition of Materi Hardened °C Normalized °C Cempered °C | al :— | | | | Micro and M | Iacro Resul | ts |
| ANALYSIS Cast or brand | | C. Si. | Mn. | S. | P. | Cr. | Mo. |
| 1 | | 2 3 | 4 | 5 | 6 | 7 | 8 |

Copy forwarded to : Inspecting Authority.

FORM-G

INSPECTORATE OF BOILERS, JAMMU AND KASHMIR

Report on Radiographic Examination of Welds

[Rule 41 (g)]

| Report No | | . Date |
|---------------------------------------------------------|-------------------------|------------------|
| Maker's Name | | Maker's No |
| Details of Part under Examination. | | |
| Type of Weld | | Weld preparation |
| Radiographic Equipment | | Film |
| Duration of Exposure | Setting. | Screens |
| Identification | | |
| Examination Results : Rectifications, if any : Remarks. | | |
| Compet (Radiolog | tent Perso y and Tes | |
| | Approv | ed by |
| | Inspecti | ing Authority |
| Copy forwarded to : Inspecting Aut | chority | |
| | | |

FORM-H

INSPECTORATE OF BOILERS, JAMMU AND KASHMIR

Application For Welder's Qualification Tests

[Rule 43 (16)]

Dear Sir,

I am applying for test as a Qualified Welder and submit below the details as required. Testimonials of my experience supported by my employers together with one copy of each are sent herewith.

Yours faithfully,

(Applicant)

| | (Аррисант) |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Full name of applicant. |
| 2. | Father's name |
| 3. | Date of birth |
| 4. | Nationality |
| 5. | Permanent address. |
| 6. | Details of applicant's service as welder (Full details together with exact period for which the candidate was employed and capacity in which employed must be given. Each such statement must be supported by applicant's employer or employers). |
| 7. | Name of workshop where the candidate wishes to be Examined |
| 8. | Details of previous tests at which candidate has appeared and failed |
| | (Candidate must state name of Testing Authority before whom he/she appeared and on which count he/she was declared failed). |
| | desire to be tested in the Electric Arc/Oxy-Acetylene process of g on Plate/Pipe/Tube (mild steel/alloy steel). |
| Date | Signature of Applicant |

Note:—

- i. Every application must be accompanied with the requisite fee paid through treasury chalan or online payment gateway.
- ii. Two copies of recent passport sized photographs of the applicant must accompany the application with applicant's signature or thumb impression on the back thereof.
- iii. Incomplete applications are liable to be rejected.
- iv. The fee does not include any charges for the supply of materials for the test pieces.
 - v. Further in exercise of the powers conferred under section 31 of The Boilers Act, 1923, the aforementioned rules are hereby published in official Gazette for inviting objections/suggestions from the persons likely to be affected thereby on or before the expiry of a period of 45 days from the date of its publication which shall reach the office of Commissioner Secretary to Government, Labour and Employment Department, Civil Secretariat, Jammu.

Objections or suggestions received after the cut of date shall not be entertained.

(Sd.) SAURABH BHAGAT, IAS,

Commissioner/Secretary to Government, Labour and Employment Department.



JAMMU AND KASHMIR OFFICIAL GAZETTE

PART IV

Reprints from the Government of India Gazette.

ôôôó

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 9th August, 2019/Shravana 18, 1941 (Saka.)

The following Act of Parliament received the assent of the President on the 9th August, 2019, and is hereby published for general information:ô

THE MOTOR VEHICLES (AMENDMENT) ACT, 2019

(No. 32 of 2019)

[9th August, 2019.]

An Act further to amend the Motor Vehicles Act, 1988.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ô

CHAPTER I

Preliminary

- 1. Short title and commencement.ô (1) This Act may be called the Motor Vehicles (Amendment) Act, 2019.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.
- 2. Amendment of section 2.—In the Motor Vehicles Act, 1988 (59 of 1988) (hereinafter referred to as the principal Act), in section 2,ô
 - (i) for clause (1), the following clauses shall be substituted, namely :ô
 - ∴(1) õadapted vehicleö means a motor vehicle either specially designed and constructed, or to which alterations have been made under sub-section (2) of section 52, for the use of a person suffering from any physical defect or disability, and used solely by or for such person;
 - (1A) õaggregatorö means a digital intermediary or market place for a passenger to connect with a driver for the purpose of transportation;
 - (1B) õareaö, in relation to any provision of this Act, means such area as the State Government may, having regard to the requirements of that provision, specify by notification in the Official Gazette; ø;
 - (ii) after clause (4), the following clause shall be inserted, namely :ô
 - ÷(4A) õcommunity serviceö means an unpaid work which a person is required to perform as a punishment for an offence committed under this Act ;ø;

- (iii) after clause (9), the following clause shall be inserted, namely :ô
 - ∴(9A) õdriver refresher training courseö means the course referred to in sub-section (2A) of section 19; ø;
- (iv) after clause (12), the following clause shall be inserted, namely :ô
 - \pm (12A) õgolden hourö means the time period lasting one hour following a traumatic injury during which there is highest likelihood of preventing death by providing prompt medical care; \emptyset ;
- (v) clause (18) shall be omitted;
- (vi) in clause (24), for the words õinvalid carriageö, the words õadapted vehicleö shall be substituted;
- (vii) in clause (26), for the words õinvalid carriageö, the words õadapted vehicleö shall be substituted;
- (viii) after clause (38), the following clause shall be inserted, namely :ô
 - ∴(38A) õschemeö means a scheme framed under this Act;ø;
- (ix) after clause (42), the following clause shall be inserted, namely :ô
 - :(42A) õtesting agencyö means any entity designated as a testing agency under section 110B; ø;
- (x) in clause (49), after the word "rests", the words "or moves" shall be inserted.
- 3. *Insertion of new section 2B*.—After section 2A of the principal Act, the following section shall be inserted, namely :ô
 - õ2B. Promotion of innovation.—Notwithstanding anything contained in this Act and subject to such conditions as may be prescribed by the Central Government, in order to promote innovation, research and development in the fields of vehicular engineering, mechanically propelled vehicles and transportation

in general, the Central Government may exempt certain types of mechanically propelled vehicles from the application of the provisions of this Act.ö.

- 4. Amendment of section 8.—In section 8 of the principal Act,ô
 - (i) in sub-section (1), for the words ofthe licensing authority having jurisdiction in the areaö, the words of the licensing authority in the Stateo shall be substituted;
 - (ii) in sub-section (2), for the words oand with such feeo, the words owith such fee and submit in such manner, including electronic means oshall be substituted;
- (iii) in sub-section (3),ô
 - (a) after the word õapplicationö, the words õto drive a transport vehicle madeö shall be inserted;
 - (b) the proviso shall be omitted;
- (iv) in sub-section (4), in the proviso, for the words õinvalid carriageö, the words õadapted vehicleö shall be substituted;
- (v) in sub-section (5), for the words õpasses to the satisfaction of the licensing authority such testö, the words õsatisfies such conditionsö shall be substituted;
- (vi) in sub-section (6), after the proviso, the following provisos shall be inserted, namely :ô

õProvided further that a licencing authority may issue a learner¢ licence in electronic form and such manner as may be prescribed by the Central Government:

Provided also that the licensing authority may, before issuing the license, verify the identity of the applicant in such manner as may be prescribed by the Central Government.ö.

- 5. Amendment of section 9.—In section 9 of the principal Act,ô
 - (i) in sub-section (1), for the words ofthe licensing authority having jurisdiction in the areao, the words oany licensing authority in the Stateo shall be substituted;

(ii) in sub-section (3), for the second proviso, the following proviso shall be substituted, namely :ô

õProvided further that a driving licence for driving an adapted vehicle may be issued to the applicant, if the licensing authority is satisfied that he is fit to drive such motor vehicle.ö:

- (iii) in sub-section (4), the words õsuch minimum educational qualification as may be prescribed by the Central Government andö shall be omitted;
- (iv) in sub-section (5), in the proviso, after the words õlast such testö, the words and figures õand such applicant shall be required to complete a remedial driver training course from any school or establishment under section 12ö shall be inserted.
- 6. Amendment of section 10.—In section 10 of the principal Act, in sub-section (2), in clause (c), for the words õinvalid carriageö, the words õadapted vehicleö shall be substituted.
- 7. Amendment of section 11.—In section 11 of the principal Act,ô
 - (i) in sub-section (1), for the words ofthe licensing authority having jurisdiction in the areaö, the words of any licensing authority in the Stateö shall be substituted;
 - (ii) in sub-section (2), the following proviso shall be inserted, namely :ô

õProvided that the licensing authority may, before issuing the license verify the identity of the applicant in such manner as may be prescribed by the Central Government.ö.

- 8. Amendment of section 12.—In section 12 of the principal Act, after sub-section (4), the following sub-sections shall be inserted, namely :ô
 - õ(5) Notwithstanding anything contained in any other provision, where any school or establishment has been accredited by a body notified by the Central Government under any other law for the time being in force, any person who has successfully

- - completed a training module at such school or establishment covering a particular type of motor vehicle shall be eligible to obtain a driving licence for such type of motor vehicle.
 - (6) The curriculum of the training module referred to in subsection (5) and the remedial driver training course referred to in sub-section (5) of section 9 shall be such as may be prescribed by the Central Government and that Government may make rules for the regulation of such schools or establishments.ö.
- 9. Amendment of section 14.—In section 14 of the principal Act, in sub-section (2),ô
 - (i) in clause (a),ô
 - (A) for the words õthree yearsö, the words õfive yearsö shall be substituted ;
 - (B) in the proviso, for the portion beginning with the words one year and ending with the word oand the words othere years and renewal thereof shall be subject to such conditions as the Central Government may prescribe; and shall be substituted;
 - (ii) for clause (b), the following clause shall be substituted, namely :ô
 - õ(b) in the case of any other licence, subject to such conditions as the Central Government may prescribe, if the person obtaining the licence, either originally or on renewal thereof,ô
 - (i) has not attained the age of thirty years on the date of issue or, renewal thereof, be effective until the date on which such person attains the age of forty years;
 - (ii) has attained the age of thirty years but has not attained the age of fifty years on the date of issue or, renewal thereof, be effective for a period of ten years from the date of such issue or renewal; or
 - (iii) has attained the age of fifty years but has not attained the age of fifty-five years on the date of issue or,

renewal thereof, be effective until the date on which such person attains the age of sixty years; or

- (iv) has attained the age of fifty-five years on the date of issue or as the case may be, renewal thereof, be effective for a period of five years from the date of such issue or renewal.ö;
- (iii) the proviso shall be omitted.
- 10. Amendment of section 15.—In section 15 of the principal Act,ô
 - (i) in sub-section (1), in the first proviso, for the words omore than thirty dayso, the words oeither one year prior to date of its expiry or within one year shall be substituted;
 - (ii) in sub-section (3), for the words õthirty daysö, the words õnne yearö shall be substituted; and
 - (iii) in sub-section (4),ô

\

- (a) for the words õthirty daysö, the words õone yearö shall be substituted; and
- (b) in the second proviso for the words ofive years after the driving license has ceased to be effective, the licensing authority mayo, the words oone year after the driving licence has ceased to be effective, the licensing authority shallo shall be substituted.
- 11. Amendment of section 19.—In section 19 of the principal Act,ô
 - (i) after sub-section (1), the following sub-section shall be inserted, namely :ô
 - õ(1A) Where a licence has been forwarded to the licensing authority under sub-section (4) of section 206, the licensing authority, if satisfied after giving the holder of the driving licence an opportunity of being heard, may either discharge the holder of a driving licence or, it may for detailed reasons recorded in writing, make an order disqualifying such person from holding or obtaining any licence to drive all

or any class or description of vehicles specified in the licenceô

- (a) for a first offence, for a period of three months;
- (b) for a second or subsequent offence, with revocation of the driving licence of such person :

Provided that where a driving licence is revoked under this section, the name of the holder of such driving licence may be placed in the public domain in such manner as may be prescribed by the Central Government.ö;

- (ii) in sub-section (2),óó
 - (a) after the word, brackets and figure õsub-section (1)ö, the words, brackets, figure and letter õor sub-section (1A)ö shall be inserted;
 - (b) for the proviso, the following proviso shall be substituted, namely :ô

õProvided that the driving licence shall be returned to the holder at the end of the period of disqualification only if he successfully completes the driver refresher training course.ö;

- (iii) after sub-section (2), the following sub-sections shall be inserted, namely :ô
 - õ(2A) The licence holder whose licence has been suspended shall undergo the driver refresher training course from a school or establishment licenced and regulated under section 12 or such other agency, as may be notified by the Central Government.
 - (2B) The nature, syllabus and duration of the driver refresher training course shall be such as may be prescribed by the Central Government.ö;
- (iv) in sub-section (3), after the word, brackets and figure õsub-section (1)ö, the words, brackets, figure and letter õor sub-section (1A)ö shall be inserted.

- 12. Insertion of new section 25A.—After section 25 of the principal Act, the following section shall be inserted, namely :ô
 - õ25A. National Register of Driving Licences.—(1) The Central Government shall maintain a National Register of Driving Licences in such form and manner as may be prescribed.
 - (2) All State Registers of Driving Licences shall be subsumed under the National Register of Driving Licences by a date to be notified by the Central Government.
 - (3) No driving licence issued, or renewed, under this Act shall be valid unless it has been issued a unique driving licence number under the National Register of Driving Licences.
 - (4) All State Governments and licensing authorities under this Act shall transmit all information including contained data in the State Register of Driving Licences in such form and manner as may be prescribed by the Central Government.
 - (5) The State Governments shall be entitled to access the National Register and update their records in such manner as may be prescribed by the Central Government.ö.
- 13. Substitution of new section for section 26.—For section 26 of the principal Act, the following section shall be substituted, namely:ô
 - õ26. Maintenance of State Registers of Driving Licences.— Each State Government shall maintain, in such form as may be prescribed by the Central Government, a register to be known as the State Register of Driving Licences, in respect of driving licences issued and renewed by the licensing authorities of the State Government, containing particulars, includingóó
 - (a) names and addresses of holders of driving licences;
 - (b) licence numbers:
 - (c) dates of issue or renewal of licences;
 - (d) dates of expiry of licences;
 - (e) classes and types of vehicles authorised to be driven; and

- - (f) such other particulars as the Central Government may prescribe.ö.
- 14. Amendment of section 27.ô In section 27 of the principal Act.ô
 - (i) after clause (d), the following clauses shall be inserted, namely:ô
 - $\tilde{o}(da)$ the form and manner in which a licensing authority may issue a learner s licence under sub-section (6) of section 8:
 - (db) the manner in which a licensing authority may verify the identity of the applicant under the third proviso to sub-section (6) of section 8; ö;
 - (ii) after clause (j), the following clauses shall be inserted, namely :ô
 - $\tilde{o}(ja)$ the curriculum of training modules and the regulation of schools and establishments under sub-section (6) of section 12;
 - (jb) the conditions for the renewal of licence to drive transport vehicles carrying goods of dangerous or hazardous nature and other motor vehicles under clause (a) and clause (b) of sub-section (2) of section 14;
 - (jc) the manner in which a licensing authority may verify the identity of the applicant under the third proviso to subsection (2) of section 11; ö;
 - (iii) after clause (n), the following clauses shall be inserted, namely :ô
 - $\tilde{o}(na)$ the manner of placing in the public domain of the name of the licence holder as referred to in sub-section (1A) of section 19;
 - (nb) providing for the nature, syllabus and duration of the driver refresher training course as referred to in sub-section (2B) of section 19; ö;

- (iv) after clause (o), the following clause shall be inserted, namely :ô
 - $\tilde{o}(oa)$ all or any of the matters referred to in section 25A; \ddot{o} ;
- (v) in clause (p), the words, brackets and figure õsub-section (1) ofö shall be omitted.
- 15. Amendment of section 28.ô In section 28 of the principal Act, in sub-section (2), clause (j) shall be omitted.
- 16. Amendment of section 40.ô In section 40 of the principal Act, for the words õa registering authorityö, the words õany registering authority in the Stateö shall be substituted.
- 17. Amendment of section 41.ô In section 41 of the principal Act,óó
 - (i) in sub-section (1), after the proviso, the following proviso shall be inserted, namely :ô
 - õProvided further that in the case of a new motor vehicle, the application for registration in the State shall be made by the dealer of such motor vehicle, if the new motor vehicle is being registered in the same State in which the dealer is situated.ö;
 - (ii) in sub-section (3),óó
 - (a) for the words õto the owner of a motor vehicle registered by it a certificate of registrationö, the words õa certificate of registration in the name of the ownerö shall be substituted;
 - (iii) in sub-section (6), the following proviso shall be inserted, namely :ô

õProvided that in case of a new motor vehicle, the application for the registration of which is made under the second proviso to sub-section (1), such motor vehicle shall not be delivered to the owner until such registration mark is displayed on the motor vehicle in such form and manner as may prescribed by the Central Government.ö;

- (iv) in sub-section (7),ô
 - (a) the words oother than a transport vehicleo shall be omitted; and
 - (b) after the words odate of issue of such certificateo, the words of for such period as may be prescribed by the Central Governmento shall be inserted;
- (v) in sub-section (8), the words oother than a transport vehicle, oo shall be omitted;
- (vi) in sub-section (10),ô
 - (a) for the words offor a period of five yearso, the words offor such period, as may be prescribed by the Central Governmento shall be substituted;
 - (b) the following proviso shall be inserted, namely :ô

õProvided that the Central Government may prescribe different period of renewal for different types of motor vehicles.ö;

- (vii) sub-sections (11), (12) and (13) shall be omitted.
- 18. Substitution of new section for section 43.—For section 43 of the principal Act, the following section shall be substituted, namely:ô
 - õ43. Temporary Registration.—Notwithstanding anything contained in section 40, the owner of a motor vehicle may apply to any registering authority or other authority as may be prescribed by the State Government to have the motor vehicle temporarily registered and such authority shall issue a temporary certificate of registration and temporary registration mark in accordance with such rules as may be made by the Central Government:

Provided that the State Government may register a motor vehicle that plies, temporarily, within the State and issue a certificate of registration and registration mark for a period of one month in such manner as may be prescribed by the State Government.ö.

- 19. Substitution of new section for section 44.—For section 44 of the principal Act, the following section shall be substituted, namely:ô
 - õ44. Production of vehicle at the time of registration.—(1) Subject to such terms and conditions as may be prescribed by the Central Government in this behalf, a motor vehicle sold by an authorised dealer shall not require production before a registering authority for the purposes of registration for the first time.
 - (2) Subject to such terms and conditions as may be prescribed by the State Government, a person in whose name a certificate of registration has been issued shall not be required to produce the vehicle registered or transferred before a registering authority.ö.
- 20. Amendment of section 49.—In section 49 of the principal Act,ô
 - (i) in sub-section (1), for the words õregistering authority, to that other registering authorityö, the words õState, to any registering authority in that Stateö shall be substituted;
 - (ii) after sub-section (1), the following sub-section shall be inserted, namely :ô
 - $\tilde{o}(1A)$ The intimation under sub-section (1) may be sent to the appropriate registering authority in electronic form along with the electronic form of such documents, including proof of authentication in such manner as may be prescribed by the Central Government. \ddot{o} ;
 - (iii) in sub-section (2), for the words oone hundred rupeeso, the words ofive hundred rupeeso shall be substituted.
- 21. Amendment of section 52.—In section 52 of the principal Act,ô
 - (i) in sub-section (1), for the second proviso, the following proviso shall be substituted, namely :ô õProvided further that the Central Government may prescribe specifications, conditions for approval,

retrofitment and other related matters for the alteration of motor vehicles and in such cases, the warranty granted by the manufacturer shall not be considered as void for the purposes of such alteration or retrofitment.ö;

- (ii) after sub-section (1), the following sub-section shall be inserted, namely :ô
 - $\tilde{o}(1A)$ A manufacturer of a motor vehicle shall on the direction issued by the Central Government, alter or retrofit safety equipment, or any other equipment in accordance with such standards and specifications as may be specified by the Central Government. \tilde{o} ;
- (iii) for sub-section (2), the following sub-section shall be substituted, namely :ô
 - $\tilde{o}(2)$ Notwithstanding anything contained in sub-section (1), any person may, with the subsequent approval of the registering authority, alter or cause to be altered any vehicle owned by him to be converted into an adapted vehicle :
 - Provided that such alteration complies with such conditions as may be prescribed by the Central Government.ö;
- (iv) in sub-section (3), the words, brackets and figure oor by reason of replacement of its engine without such approval under sub-section (2) shall be omitted.
- 22. Amendment of section 55.—In section 55 of the principal Act, after sub-section (5), the following sub-section shall be inserted, namely :ô
 - $\tilde{o}(5A)$ If any registering authority or other prescribed authority has reason to believe that any motor vehicle within its jurisdiction has been used in the commission of an offence punishable under section 199A, the authority may, after giving the owner an opportunity of making a representation in writing, cancel the certificate of registration of the vehicle for a period of one year:

Provided that the owner of the motor vehicle may apply for fresh registration in accordance with the provisions of section 40 and section 41.ö.

- 23. Amendment of section 56.—In section 56 of the principal Act.ô
 - (i) in sub-section (1), after the proviso, the following proviso shall be inserted, namely :ô
 - õProvided further that no certificate of fitness shall be granted to a vehicle, after such date as may be notified by the Central Government, unless such vehicle has been tested at an automated testing station.ö;
 - (ii) for sub-section (2), the following sub-section shall be substituted, namely :ô
 - õ(2) The õauthorised testing stationö referred to in subsection (1) means any facility, including automated testing facilities, authorised by the State Government, where fitness testing may be conducted in accordance with the rules made by the Central Government for recognition, regulation and control of such stations.ö;
 - (iii) in sub-section (4), for the proviso, the following provisos shall be substituted, namely :ô
 - õProvided that no such cancellation shall be made by the prescribed authority unless,ô
 - (a) Such prescribed authority holds such technical qualification as may be prescribed by the Central Government and where the prescribed authority does not hold the technical qualification, such cancellation is made on the basis of the report of an officer having such qualification; and
 - (b) the reasons recorded in writing cancelling a certificate of fitness are confirmed by an authorised testing station chosen by the owner of the vehicle whose certificate of fitness is sought to be cancelled:

Provided further that if the cancellation is confirmed by the authorised testing station, the cost of undertaking the test shall be borne by the owner of the vehicle being tested and in the alternative by the prescribed authority.ö;

- (iv) after sub-section (5), the following sub-sections shall be inserted, namely :ô
 - õ(6) All transport vehicles with a valid certificate of fitness issued under this section shall carry, on their bodies, in a clear and visible manner such distinguishing mark as may be prescribed by the Central Government.
 - (7) Subject to such conditions as the Central Government may prescribe, the provisions of this section may be extended to non-transport vehicles.ö.
- 24. Amendment of section 59.—In section 59 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely :ô
 - õ(4) The Central Government may, having regard to the public safety, convenience, protection of the environment and the objects of this Act, make rules prescribing the manner of recycling of motor vehicles and parts thereof which have exceeded their life.ö.
- 25. *Insertion of new sections 62A and 62B*.—After section 62 in the principal Act, the following sections shall be inserted, namely :ô
 - ŏ62A. Prohibition of registration and issuance of certificate of fitness to oversized vehicles.—(1) No registering authority shall register any motor vehicle that contravenes any rule made under clause (a) of sub-section (1) of section 110.
 - (2) No prescribed authority or authorised testing station shall issue a certificate of fitness under section 56 to any motor vehicle that contravenes any rule made under section 110.
 - 62B. National Register of Motor Vehicles.—(1) The Central Government shall maintain a National Register of Motor Vehicles in such form and manner as may be prescribed by it:

Provided that all State Registers of Motor Vehicles shall be subsumed under the National Register of Motor Vehicles by such date as may be notified in the Official Gazette by the Central Government.

- (2) No certificate of registration issued, or renewed, under this Act shall be valid unless it has been issued a unique registration number under the National Register of Motor Vehicles.
- (3) In order to maintain the National Register of Motor Vehicles, all State Governments and registering authorities under this Act shall transmit all information and data in the State Register of Motor Vehicles to the Central Government in such form and manner as may be prescribed by the Central Government.
- (4) State Governments shall be able to access the National Register of Motor Vehicles and update records in accordance with the provisions of this Act and the rules made by the Central Government thereunder.ö.
- 26. Substitution of new section for section 63.—For section 63 of the principal Act, the following section shall be substituted, namely:ô
 - õ63. Maintenance of State Registers of motor vehicles.—Each State Government shall maintain in such form as may be prescribed by the Central Government a register to be known as the State Register of Motor Vehicles, in respect of the motor vehicles in that State, containing the particulars includingô
 - (a) registration numbers;
 - (b) years of manufacture;
 - (c) classes and types;
 - (d) names and addresses of registered owners; and
 - (e) such other particulars as may be prescribed by the Central Government.ö.
- 27. Amendment of section 64.—In section 64 of the principal Act,ô
 - (i) after clause (d), the following clause shall be inserted, namely :ô
 - $\tilde{o}(da)$ providing for the period of validity of a certificate of registration under sub-section (7) of section 41; \ddot{o} ;

- - (ii) after clause (e), the following clause shall be inserted, namely :ô
 - $\tilde{o}(ea)$ the period of renewal of certificate of registration of different types of motor vehicles under sub-section (10) of section 41; \ddot{o} ;
 - (iii) after clause (f), the following clauses shall be inserted, namely :ô
 - $\tilde{o}(fa)$ the issue of temporary certificate of registration and temporary registration mark under section 43;
 - (fb) the terms and conditions under which a motor vehicle sold by an authorised dealer shall not require production before a registering authority under sub-section (1) of section 44; ö;
 - (iv) after clause (j), the following clause shall be inserted, namely :ô
 - õ(ja) the form and manner for the electronic submission of the intimation of change of address, documents to be submitted along with such intimation including proof of authentication under sub-section (1A) of section 49; ö;
 - (v) after clause (l), the following clauses shall be inserted, namely :ô
 - $\tilde{o}(la)$ specifications, conditions for approval, retrofitment and other related matters for the alteration of motor vehicles under sub-section (1) of section 52;
 - (lb) the conditions for the alteration of any motor vehicle into an adapted vehicle under sub-section (2) of section 52; \ddot{o} ;
 - (vi) after clause (n), the following clauses shall be inserted, namely :ô
 - õ(na) the distinguishing mark to be carried on the body of transport vehicles under sub-section (6) of section 56;

- (nb) the conditions under which the application of section 56 may be extended to non-transport vehicles under subsection (7) of section 56;\
- (nc) the recycling of motor vehicles and parts thereof which have exceeded their life under sub-section (4) of section 59; ö;
- (vii) after clause (o), the following clauses shall be inserted, namely :ô
 - $\tilde{o}(oa)$ all or any of the matters under sub-section (1) of section 62B;
 - (ob) all or any of the matters under sub-section (1) and sub-section (2) of section 63;ö.
- 28. Amendment of section 65.—In section 65 of the principal Act, in sub-section (2),ô
 - (i) in clause (f), after the word omarkso, the words and figures ounder the proviso to section 43o shall be inserted;
 - (ii) clause (o) shall be omitted.
- 29. Amendment of section 66.—In section 66 of the principal Act,óó
 - (i) in sub-section (1), after the third proviso, the following proviso shall be inserted, namely :ô
 - õProvided also that where a transport vehicle has been issued any permit or permits, as well as a licence under this Act, such vehicle may be used either under the permit, or permits, so issued to it, or under such licence, at the discretion of the vehicle owner.ö;
 - (ii) in sub-section (3), after clause (p), the following clause shall be inserted, namely :ô
 - $\tilde{o}(q)$ to any transport vehicle having been issued a licence under a scheme, under sub-section (3) of section 67 or sub-section (1) of section 88A, or plying under such orders

- - as may be issued by the Central Government or by the State Government.ö.
- 30. *Insertion of new sections 66A and 66B*.—After section 66 of the principal Act, the following sections shall be inserted, namely :ô
 - õ66A. National Transportation Policy.—The Central Government may develop a National Transportation Policy consistent with the objects of this Act in concurrence with the State Governments and other agencies with a view toô
 - (i) establish a planning framework for passengers and goods transportation within which transport bodies are to operate;
 - (ii) establish a medium and long term planning framework for all forms of road transport, identify areas for the development of transport improvement infrastructure across India in consultation with the authorities and agencies related to ports, railways and aviation as well as with local and State level planning, land holding and regulatory authorities for the delivery of an integrated multimodal transport system;
 - (iii) establish the framework of grant of permits and schemes;
 - (iv) establish strategic policy for transport by road and its role as a link to other means of transport;
 - (v) identify strategic policies and specify priorities for the transport system that address current and future challenges;
 - (vi) provide medium to long term strategic directions, priorities and actions :
 - (vii) promote competition, innovation, increase in capacity, seamless mobility and greater efficiency in transport of goods or livestock or passengers, and economical use of resources;
 - (viii) safeguard the interest of the public and promote equity, while seeking to enhance private participation and public-private partnership in the transport sector;

- (ix) demonstrate an integrated approach to transport and land use planning;
- (x) identify the challenges that the National Transportation Policy seeks to address; and
- (xi) address any other matter deemed relevant by the Central Government.
- 66B. No bar against permit holders to apply and hold licences under schemes.—No person who holds the permit issued under this Act shallô
- (a) be disqualified from applying for a licence under the scheme made under sub-section (3) of section 67 or sub-section (1) of section 88A by reason of holding such permit; and
- (b) be required to get such permit cancelled on being issued a licence under any scheme made under this Act.ö.
- 31. Amendment of section 67.—In section 67 of the principal Act,ô
 - (i) for sub-section (1), the following sub-section shall be substituted, namely :ô
 - õ(1) A State Government, having regard toô
 - (a) the advantages offered to the public, trade and industry by the development of motor transport;
 - (b) the desirability of co-ordinating road and rail transport :
 - (c) the desirability of preventing the deterioration of the road system, and
 - (d) promoting effective competition among the transport service providers, may, from time to time, by notification in the Official Gazette issue directions both to the State Transport Authority and Regional Transport

Authority regarding the passengersø convenience, economically competitive fares, prevention of overcrowding and road safety.ö;

(ii) in sub-section (2), the following proviso shall be inserted, namely :ô

õProvided that the State Government may subject to such conditions as it may deem fit, and with a view to achieving the objectives specified in clause (d) of sub-section (1), relax all or any of the provisions made under this Chapter.ö;

- (iii) after sub-section (2), the following sub-sections shall be inserted, namely :ô
 - õ(3) Notwithstanding anything contained in this Act, the State Government may, by notification in the Official Gazette, modify any permit issued under this Act or make schemes for the transportation of goods and passengers and issue licences under such scheme for the promotion of development and efficiency in transportationô
 - (a) last mile connectivity;
 - (b) rural transport;
 - (c) reducing traffic congestion;
 - (d) improving urban transport;
 - (e) safety of road users;
 - (f) better utilisation of transportation assets;
 - (g) the enhancement of economic vitality of the area, through competitiveness, productivity and efficiency;
 - (h) the increase in the accessibility and mobility of people;
 - (i) the protection and enhancement of the environment;

- (j) the promotion of energy conservation;
- (k) improvement of the quality of life;
- (l) enhance integration and connectivity of the transportation system, across and between modes of transport; and
- (m) such other matters as the Central Government may deem fit.
 - (4) The scheme framed under sub-section (3), shall specify the fees to be charged, form of application and grant of a licence including the renewal, suspension, cancellation or modification of such licence.ö.
- 32. Amendment of section 72.—In section 72 of the principal Act, in sub-section (2), the following proviso shall be inserted, namely :ô

õProvided that the Regional Transport Authority may waive any such condition for a stage carriage permit operating in a rural area, as it deems fit.ö.

- 33. Amendment of section 74.—In section 74 of the principal Act,ô
 - (i) in sub-section (2), the following proviso shall be inserted, namely :ô

õProvided that the Regional Transport Authority may in the interests of last mile connectivity waive any such condition in respect of any such types of vehicles as may be specified by the Central Government.ö;

- (ii) in sub-section (3), in the proviso to clause (b), after sub-clause (vi), the following sub-clause shall be inserted, namely :ô
 - õ(vii) self-help groups.ö.

- 34. *Insertion of new section 88A.*—After section 88 of the principal Act, the following section shall be inserted, namely :ô
 - õ88A. Power of Central Government to make schemes for national, multimodal and inter-State transport of passengers and goods.—(1) Notwithstanding anything contained in this Act, the Central Government may, by notification in the Official Gazette, modify any permit issued under this Act or make schemes for national, multimodal and inter-State transportation of goods or passengers, and issue or modify licences under, such scheme for the following purposes, namely :ô
 - (a) last mile connectivity;
 - (b) rural transport;
 - (c) improving the movement of freight, and logistics;
 - (d) better utilisation of transportation assets;
 - (e) the enhancement to the economic vitality of the area, especially by enabling competitiveness, productivity and efficiency;
 - (f) the increase in the accessibility and mobility of people;
 - (g) the protection and enhancement of the environment;
 - (h) the promotion of energy conservation;
 - (i) improvement of the quality of life;
 - (j) enhancement of the integration and connectivity of the transportation system, across and between modes of transport; and
 - (k) such other matters as the Central Government may deem fit:

Provided that the Central Government may, before taking any action under this sub-section seek concurrence of the State Governments. (2) Notwithstanding anything contained in sub-section (1), two or more States may make schemes for the operation within such States for the inter-State transportation of goods or passengers:

Provided that in the event of any repugnancy between the schemes made by the Central Government under subsection (1) and schemes made by two or more States under this sub-section, the schemes made under sub-section (1) shall prevail."

- 35. Amendment of section 92.—In section 92 of the principal Act, for the words õstage carriage or contract carriage, in respect of which a permitö, the words õtransport vehicle, in respect of which a permit or licenceö shall be substituted.
- 36. Amendment of section 93.—In section 93 of the principal Act,ô
 - (i) for the marginal heading, the following marginal heading shall be substituted, namely :ô

õAgent or canvasser or aggregator to obtain licence.ö;

- (ii) in sub-section (1),ô
 - (a) after clause (ii), the following clause shall be inserted, namely :ô
- õ(iii) as an aggregator,ö;
 - (b) the following provisos shall be inserted, namely :ô

õProvided that while issuing the licence to an aggregator the State Government may follow such guidelines as may be issued by the Central Government:

Provided further that every aggregator shall comply with the provisions of the Information Technology Act, 2000 (21 of 2000) and the rules and regulations made thereunder.ö.

- 37. Amendment of section 94.—In section 94 of the principal Act, after the word õpermitö occurring at both the places the words õor licence issued under any schemeö shall be inserted.
- 38. Amendment of section 96.—In section 96 of the principal Act, in sub-section (2), after clause (xxxii), the following clauses shall be inserted, namely :ô

 $\tilde{o}(xxxiia)$ framing of schemes under sub-section (3) of section 67:

(xxxiib) the promotion of effective competition, passenger convenience and safety, competitive fares and prevention of overcrowding ;ö.

- 39. Amendment of section 110.—In section 110 of the principal Act,ô
 - (i) in sub-section (1), in clause (k), after the words õstandards of the componentsö, the words õ, including software,ö shall be inserted:
 - (ii) in sub-section (2), after the words õin particular circumstancesö, the words õand such rules may lay down the procedure for investigation, the officers empowered to conduct such investigations, the procedure for hearing of such matters and the penalties to be levied thereunderö shall be inserted:
 - (iii) after sub-section (2), the following sub-section shall be inserted, namely :ô
 - õ(2A) Persons empowered under sub-section (2) to conduct investigations referred to in sub-section (2) shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely :ô
 - (a) summoning and enforcing the attendance of any person and examining him on oath;
 - (b) requiring the discovery and production of any document;

- (c) receiving evidence on affidavit; and
- (d) any other matter as may be prescribed.ö.
- 40. *Insertion of new sections 110A and 110B*.—After section 110 of the principal Act, the following sections shall be inserted, namely :ô
 - õ110A. Recall of motor vehicles.—(1) The Central Government may, by order, direct a manufacturer to recall motor vehicles of a particular type or its variants, ifô
 - (a) a defect in that particular type of motor vehicle may cause harm to the environment or to the driver or occupants of such motor vehicle or other road users; and
 - (b) a defect in that particular type of motor vehicle has been reported to the Central Government byô
 - (i) such percentage of owners, as the Central Government, may by notification in the Official Gazette, specify; or
 - (ii) a testing agency; or
 - (iii) any other source.
 - (2) Where the defect referred to in sub-section (1) lies in a motor vehicle component, the Central Government may, by order, direct a manufacturer to recall all motor vehicles which contain such component, regardless of the type or variants of such motor vehicle.
 - (3) A manufacturer whose vehicles are recalled under subsection (1) or sub-section (2), shallô
 - (a) reimburse the buyers for the full cost of the motor vehicle, subject to any hire-purchase or lease-hypothecation agreement; or
 - (b) replace the defective motor vehicle with another motor vehicle of similar or better specifications which

complies with the standards specified under this Act or repair it; and

- (c) pay such fines and other dues in accordance with sub-section (6).
- (4) Where a manufacturer notices a defect in a motor vehicle manufactured by him, he shall inform the Central Government of the defect and initiate recall proceedings and in such case the manufacturer shall not be liable to pay fine under subsection (3).
- (5) The Central Government may authorise any officer to conduct investigation under this section who shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely :ô
- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) receiving evidence on affidavit; and
- (d) any other matter as may be prescribed.
- (6) The Central Government may make rules for regulating the recall of motor vehicles, of a particular type or its variants, for any defect which in the opinion of the Central Government, may cause harm to the environment or to the driver or occupants of such motor vehicle or to other road users.
- 110B. Type-approval certificate and testing agencies.—(1) No motor vehicle, including a trailer or semi-trailer or modular hydraulic trailer or side car shall be sold or delivered or offered for sale or delivery or used in a public place in India unless a type-approval certificate referred to in sub-section (2) has been issued in respect of such vehicle:

Provided that the Central Government may, by notification in the Official Gazette, extend the requirement of type-approval certificate to other vehicles drawn or intended to be drawn by a motor vehicle :

Provided further that such certificate shall not be required for vehicles which areô

- (a) intended for export or display or demonstration or exhibition; or
- (b) used by a manufacturer of motor vehicles or motor vehicle components or a research and development centre or a test by agency for testing and validation or for data collection, inside factory premises or in a non-public place; or
- (c) exempted by the Central Government.
- (2) The manufacturer or importer of motor vehicles including trailers, semi-trailers, modular hydraulic trailers and side cars shall submit the prototype of the vehicle to be manufactured or imported for test to a testing agency for obtaining a type-approval certificate by such agency.
- (3) The Central Government shall make rules for the accreditation, registration and regulation of testing agencies.
- (4) The testing agencies shall conduct tests on vehicles drawn from the production line of the manufacturer or obtained otherwise to verify the conformity of such vehicles to the provisions of this Chapter and the rules and regulations made thereunder.
- (5) Where the motor vehicle having a type-approval certificate is recalled under section 110A, the testing agency which granted the certificate to such motor vehicle shall be liable for its accreditation and registration to be cancelled.ö.
- 41. Amendment of section 114.—In section 114 of the principal Act, in sub-section (1), for the words õauthorised in this behalf by the State Governmentö, the words õor any other person authorised in this behalf by the State Governmentö shall be substituted.

- 42. Amendment of section 116.—In section 116 of the principal Act,ô
 - (i) after sub-section (1), the following sub-section shall be inserted, namely :ô

õ(1A) Notwithstanding anything contained in sub-section (1), the National Highways Authority of India constituted under the National Highways Authority of India Act, 1988 (68 of 1988) or any other agency authorised by the Central Government, may cause or permit traffic signs, as provided in the First Schedule, to be placed or erected or removed on national highways for the purpose of regulating motor vehicle traffic and may order the removal of any sign or advertisement which in its opinion is so placed as to obscure any traffic sign from view or is so similar in appearance to a traffic sign as to mislead or is likely to distract the attention or concentration of the driver:

Provided that for the purposes of this sub-section, the National Highway Authority of India or any other agency authorised by the Central Government may seek assistance from the authorities of the State Government and the said State Government shall provide such assistance.ö;

- (ii) in sub-section (3), after the words, brackets and figure õprovided by sub-section (1)ö, the words, brackets, figure and letter õor sub-section (1A)ö shall be inserted.
- 43. Amendment of section 117.—In section 117 of the principal Act, the following provisos shall be inserted, namely :ô

õProvided that the State Government or the authorised authority shall, give primacy to the safety of road users and the free flow of traffic in determining such places:

Provided further that for the purpose of this section the National Highways Authority of India, constituted under the National Highways Authority of India Act, 1988 (68 of 1988) or any other agency authorised by the Central Government, may also determine such places.ö.

- 44. Substitution of new section for section 129.—For section 129 of the principal Act, the following section shall be substituted, namely :ô
 - ÷129. Wearing of protective headgear.—Every person, above four years of age, driving or riding or being carried on a motorcycle of any class or description shall, while in a public place, wear protective headgear conforming to such standards as may be prescribed by the Central Government:

Provided that the provisions of this section shall not apply to a person who is a Sikh, if, while driving or riding on the motorcycle, in a public place, he is wearing a turban:

Provided further that the Central Government may by rules provide for measures for the safety of children below four years of age riding or being carried on a motorcycle.

Explanation.—õProtective headgearö means a helmet which,ô

- (a) by virtue of its shape, material and construction, could reasonably be expected to afford to the person driving or riding on a motorcycle a degree of protection from injury in the event of an accident: and
- (b) is securely fastened to the head of the wearer by means of straps or other fastenings provided on the headgear.ø
- 45. *Insertion of new section 134A*.—After section 134 of the principal Act, the following section shall be inserted, namely :ô
 - õ134A. Protection of Good Samaritans.—(1) A Good Samaritan shall not be liable for any civil or criminal action for any injury to or death of the victim of an accident involving a motor vehicle, where such injury or death resulted from the Good Samaritanøs negligence in acting or failing to act while rendering emergency medical or non-medical care or assistance.
 - (2) The Central Government may by rules provide for the procedure for questioning or examination of the Good Samaritan, disclosure of personal information of the Good Samaritan and such other related matters.

- Explanation.—For the purposes of this section, õGood Samaritanö means a person, who in good faith, voluntarily and without expectation of any reward or compensation renders emergency medical or non-medical care or assistance at the scene of an accident to the victim or transports such victim to the hospital.".
- 46. Amendment of section 135.—In section 135 of the principal Act,ô
 - (i) in sub-section (1),ô
 - (a) in clause (c), the word oando shall be omitted;
 - (b) in clause (d), for the word õhighwaysö, the words õhighways; andö shall be substituted; and
 - (ii) after clause (d), the following clause shall be inserted, namely :ô
 - $\tilde{o}(e)$ any other amenities in the interests of the safety and the convenience of the public. \ddot{o} ;
 - (iii) after sub-section (2), the following sub-section shall be inserted, namely :ô
 - õ(3) The Central Government may, by notification in the Official Gazette, make one or more schemes to conduct in-depth studies on the causes and analysis of road accidents.ö.
- 47. *Insertion of new section 136A*.—After section 136 of the principal Act, the following section shall be inserted, namely :ô
 - ÷136A. Electronic monitoring and enforcement of road safety.—(1) The State Government shall ensure electronic monitoring and enforcement of road safety in the manner provided under sub-section (2) on national highways, state highways, roads or in any urban city within a State which has a population up to such limits as may be prescribed by the Central Government.

- (2) The Central Government shall make rules for the electronic monitoring and enforcement of road safety including speed cameras, closed-circuit television cameras, speed guns, body wearable cameras and such other technology.
- Explanation.ô For the purpose of this section the expression õbody wearable cameraö means a mobile audio and video capture device worn on the body or uniform of a person authorised by the State Government.ø
- 48. Amendment of section 137.—In section 137 of the principal Act,ô
 - (i) after clause (a), the following clause shall be inserted, namely :ô
 - õ(aa) providing for the standards of protective headgear and measures for the safety of children below the age of four years riding under section 129;ö;
 - (ii) after clause (b), the following clauses shall be inserted, namely :ô
 - õ(c) providing for limits of urban city by the State Governments under sub-section (1) of section 136A; and
 - (d) providing for electronic monitoring and enforcement under sub-section (2) of section 136A.ö.
- 49. Amendment of section 138.—In section 138 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely :ô
 - $\tilde{o}(1A)$ The State Government may, in the interest of road safety, make rules for the purposes of regulating the activities and access of non-mechanically propelled vehicles and pedestrians to public places and national highways:

Provided that in the case of national highways, such rules shall be framed in consultation with the National Highways Authority of India.ö.

- 50. *Omission of Chapter X.*—Chapter X in the principal Act shall be omitted.
- 51. Substitution of new Chapter XI for Chapter XI.—For Chapter XI of the principal Act, the following Chapter shall be substituted, namely :ô

:CHAPTER XI

Insurance of Motor Vehicles Against Third Party Risks

- 145. *Definitions*.—In this Chapter,ô
 - (a) õauthorised insurerö means an insurer for the time being carrying on general insurance business in India and granted a certificate of registration by the Insurance Regulatory and Development Authority of India established under section 3 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999) and any Government insurance fund authorised to do general insurance business under the General Insurance Business (Nationalisation) Act, 1972 (57 of 1972);
 - (b) õcertificate of insuranceö means a certificate issued by an authorised insurer in pursuance of section 147 and includes a cover note complying with such requirements as may be prescribed, and where more than one certificate has been issued in connection with a policy, or where a copy of a certificate has been issued, all those certificates or that copy, as the case may be;
 - (c) õgrievous hurtö shall have the same meaning as assigned to it in section 320 of the Indian Penal Code (45 of 1860);
 - (d) õhit and run motor accidentö means an accident arising out of the use of a motor vehicle or motor vehicles the identity whereof cannot be ascertained in spite of reasonable efforts for the purpose;
 - (e) õInsurance Regulatory and Development Authorityö means the Insurance Regulatory and Development Authority established under section 3 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999);

- (f) õpolicy of insuranceö includes certificate of insurance;
- (g) õpropertyö includes roads, bridges, culverts, causeways, trees, posts, milestones and baggage of passengers and goods carried in any motor vehicle;
- (h) õreciprocating countryö means any such country as may on the basis of reciprocity be notified by the Central Government in the Official Gazette to be a reciprocating country for the purposes of this Act;
- (i) õthird partyö includes the Government, the driver and any other co-worker on a transport vehicle.
- 146. Necessity for insurance against third party risks.—(1) No person shall use, except as a passenger, or cause or allow any other person to use, a motor vehicle in a public place, unless there is in force, in relation to the use of the vehicle by that person or that other person, as the case may be, a policy of insurance complying with the requirements of this Chapter:

Provided that in the case of a vehicle carrying, or meant to carry, dangerous or hazardous goods, there shall also be a policy of insurance under the Public Liability Insurance Act, 1991 (6 of 1991).

- Explanation.—For the purposes of this sub-section, a person driving a motor vehicle merely as a paid employee, while there is in relation to the use of the vehicle no such policy in force as is required by this sub-section, shall not be deemed to act in contravention of the sub-section unless he knows or has reason to believe that there is no such policy in force.
- (2) The provisions of sub-section (1) shall not apply to any vehicle owned by the Central Government or a State Government and used for purposes not connected with any commercial enterprise.
- (3) The appropriate Government may, by order, exempt from the operation of sub-section (1), any vehicle owned by any of the following authorities, namely :ô
 - (a) the Central Government or a State Government, if the vehicle is used for purposes connected with any commercial enterprise;

- (b) any local authority;
- (c) any State Transport Undertaking:

Provided that no such order shall be made in relation to any such authority unless a fund has been established and is maintained by that authority in such manner as may be prescribed by appropriate Government.

- **Explanation.**—For the purposes of this sub-section, õappropriate Governmentö means the Central Government or a State Government, as the case may be, andô
 - (i) in relation to any corporation or company owned by the Central Government or any State Government, means the Central Government or that State Government;
 - (ii) in relation to any corporation or company owned by the Central Government and one or more State Governments, means the Central Government;
 - (iii) in relation to any other State Transport Undertaking or any local authority, means that Government which has control over that undertaking or authority.
- 147. Requirement of policies and limits of liability.—(1) In order to comply with the requirements of this Chapter, a policy of insurance must be a policy whichô
 - (a) is issued by a person who is an authorised insurer; and
 - (b) insures the person or classes of persons specified in the policy to the extent specified in sub-section (2)ô
 - (i) against any liability which may be incurred by him in respect of the death of or bodily injury to any person including owner of the goods or his authorised representative carried in the motor vehicle or damage to any property of a third party caused by or arising out of the use of the motor vehicle in a public place;
 - (ii) against the death of or bodily injury to any passenger of a transport vehicle, except gratuitous passengers of a goods

vehicle, caused by or arising out of the use of the motor vehicle in a public place.

- Explanation.—For the removal of doubts, it is hereby clarified that the death of or bodily injury to any person or damage to any property of a third party shall be deemed to have been caused by or to have arisen out of, the use of a vehicle in a public place, notwithstanding that the person who is dead or injured or the property which is damaged was not in a public place at the time of the accident, if the act or omission which led to the accident occurred in a public place.
- (2) Notwithstanding anything contained under any other law for the time being in force, for the purposes of third party insurance related to either death of a person or grievous hurt to a person, the Central Government shall prescribe a base premium and the liability of an insurer in relation to such premium for an insurance policy under sub-section (1) in consultation with the Insurance Regulatory and Development Authority.
- (3) A policy shall be of no effect for the purposes of this Chapter unless and until there is issued by the insurer in favour of the person by whom the policy is effected, a certificate of insurance in the prescribed form and containing the prescribed particulars of any condition subject to which the policy is issued and of any other prescribed matters; and different forms, particulars and matters may be prescribed in different cases.
- (4) Notwithstanding anything contained in this Act, a policy of Insurance issued before the commencement of the Motor Vehicles (Amendment) Act, 2019 shall be continued on the existing terms under the contract and the provisions of this Act shall apply as if this Act had not been amended by the said Act.
- (5) Where a cover note issued by the insurer under the provisions of this Chapter or the rules or regulations made thereunder is not followed by a policy of insurance within the specified time, the insurer shall, within seven days of the expiry of the period of the validity of the cover note, notify the fact to the registering authority or to such other authority as the State Government may prescribe.

- (6) Notwithstanding anything contained in any other law for the time being in force, an insurer issuing a policy of insurance under this section shall be liable to indemnify the person or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of that person or those classes of persons.
- 148. Validity of policies of insurance issued in reciprocating countries.—Where, in pursuance of an arrangement between India and any reciprocating country, the motor vehicle registered in the reciprocating country operates on any route or within any area common to the two countries and there is in force in relation to the use of the vehicle in the reciprocating country, a policy of insurance complying with the requirements of the law of insurance for the time being in force in that country, then, notwithstanding anything contained in section 147 but subject to any rules which may be made under section 164B such policy of insurance shall be effective throughout the route or area in respect of which the arrangement has been made, as if the policy of insurance had complied with the requirements of this Chapter.
- 149. Settlement by insurance company and procedure therefor.—(1) The insurance company shall, upon receiving information of the accident, either from claimant or through accident information report or otherwise, designate an officer to settle the claims relating to such accident.
- (2) An officer designated by the insurance company for processing the settlement of claim of compensation may make an offer to the claimant for settlement before the Claims Tribunal giving such details, within thirty days and after following such procedure as may be prescribed by the Central Government.
- (3) If, the claimant to whom the offer is made under sub-section (2),ô
 - (a) accepts such offer,ô
 - (i) the Claims Tribunal shall make a record of such settlement, and such claim shall be deemed to be settled by consent; and
 - (ii) the payment shall be made by the insurance company within a maximum period of thirty days from the date of receipt of such record of settlement;

- (b) rejects such offer, a date of hearing shall be fixed by the Claims Tribunal to adjudicate such claim on merits.
- 150. Duty of insurers to satisfy judgments and awards against persons insured in respect of third party risks.—(1) If, after a certificate of insurance has been issued under sub-section (3) of section 147 in favour of the person by whom a policy has been effected, judgment or award in respect of any such liability as is required to be covered by a policy under clause (b) of sub-section (1) of section 147 (being a liability covered by the terms of the policy) or under the provisions of section 164 is obtained against any person insured by the policy, then, notwithstanding that the insurer may be entitled to avoid or cancel or may have avoided or cancelled the policy, the insurer shall, subject to the provisions of this section, pay to the person entitled to the benefit of the award any sum not exceeding the sum assured payable thereunder, as if that person were the decree holder, in respect of the liability, together with any amount payable in respect of costs and any sum payable in respect of interest on that sum by virtue of any enactment relating to interest on judgments.
- (2) No sum shall be payable by an insurer under sub-section (1) in respect of any judgment or award unless, before the commencement of the proceedings in which the judgment or award is given the insurer had notice through the court or, as the case may be, the Claims Tribunal of the bringing of the proceedings, or in respect of such judgment or award so long as its execution is stayed pending an appeal; and an insurer to whom notice of the bringing of any such proceedings is so given shall be entitled to be made a party thereto, and to defend the action on any of the following grounds, namely:ô
 - (a) that there has been a breach of a specified condition of the policy, being one of the following conditions, namely :66
 - (i) a condition excluding the use of the vehicleô
 - (A) for hire or reward, where the vehicle is on the date of the contract of insurance a vehicle not covered by a permit to ply for hire or reward; or
 - (B) for organised racing and speed testing; or
 - (C) for a purpose not allowed by the permit under which the vehicle is used, where the vehicle is a transport vehicle; or

- (D) without side-car being attached where the vehicle is a two-wheeled vehicle : or
- (ii) a condition excluding driving by a named person or by any person who is not duly licenced or by any person who has been disqualified for holding or obtaining a driving licence during the period of disqualification or driving under the influence of alcohol or drugs as laid down in section 185 ; or
- (iii) a condition excluding liability for injury caused or contributed to by conditions of war, civil war, riot or civil commotion; or
 - (b) that the policy is void on the ground that it was obtained by non-disclosure of any material fact or by representation of any fact which was false in some material particular; or
 - (c) that there is non-receipt of premium as required under section 64VB of the Insurance Act, 1938 (4 of 1938).
- (3) Where any such judgment or award as is referred to in subsection (1) is obtained from a court in a reciprocating country and in the case of a foreign judgment is, by virtue of the provisions of section 13 of the Code of Civil Procedure, 1908 (5 of 1908) conclusive as to any matter adjudicated upon by it, the insurer (being an insurer registered under the Insurance Act, 1938 (4 of 1938) and whether or not that person is registered under the corresponding law of the reciprocating country) shall be liable to the person entitled to the benefit of the decree in the manner and to the extent specified in sub-section (1), as if the judgment or award were given by a court in India:

Provided that no sum shall be payable by the insurer in respect of any such judgment or award unless, before the commencement of the proceedings in which the judgment or award is given, the insurer had notice through the court concerned of the bringing of the proceedings and the insurer to whom notice is so given is entitled under the corresponding law of the reciprocating country, to be made a party to the proceedings and to defend the action on grounds similar to those specified in sub-section (2).

- (4) Where a certificate of insurance has been issued under subsection (3) of section 147 to the person by whom a policy has been effected, so much of the policy as purports to restrict the insurance of the persons insured thereby, by reference to any condition other than those in sub-section (2) shall, as respects such liabilities as are required to be covered by a policy under clause (b) of sub-section (1) of section 147, be of no effect.
- (5) No insurer to whom the notice referred to in sub-section (2) or sub-section (3) has been given shall be entitled to avoid his liability to any person entitled to the benefit of any such judgment or award as is referred to in sub-section (1) or in such judgment as is referred to in sub-section (3) otherwise than in the manner provided for in sub-section (2) or in the corresponding law of the reciprocating country, as the case may be.
- (6) If on the date of filing of any claim, the claimant is not aware of the insurance company with which the vehicle had been insured, it shall be the duty of the owner of the vehicle to furnish to the tribunal or court the information as to whether the vehicle had been insured on the date of the accident, and if so, the name of the insurance company with which it is insured.

Explanation.—For the purposes of this section,ô

- (a) õawardö means an award made by the Claims Tribunal under section 168;
- (b) õClaims Tribunalö means a Claims Tribunal constituted under section 165;
- (c) õliability covered by the terms of the policyö means the liability which is covered by the policy or which would be so covered but for the fact that the insurer is entitled to avoid or cancel or has avoided or cancelled the policy; and
- (d) õmaterial factö and õmaterial particularö mean, respectively, a fact or particular of such a nature as to influence the judgment of a prudent insurer in determining whether he shall take the risk and, if so, at what premium and on what conditions.

- 151. Rights of third party against insurers on insolvency of insured.—(1) Where under any contract of insurance affected in accordance with the provisions of this Chapter, a person is insured against liabilities which he may incur to third party, thenô
 - (a) in the event of the person becoming insolvent or making a composition or arrangement with his creditors; or
 - (b) where the insured person is a company, in the event of a winding-up order being made or a resolution for a voluntary winding-up being passed with respect to the company or of a receiver or manager of the company business or undertaking being duly appointed, or of possession being taken by or on behalf of the holders of any debentures secured by a floating charge of any property comprised in or subject to the charge, if, either before or after that event, any such liability is incurred by the insured person his rights against the insurer under the contract in respect of the liability shall, notwithstanding anything to the contrary in any provision of law, be transferred to and vest in the third party to whom the liability was so incurred.
- (2) Where an order for the administration of the estate of a deceased debtor is made according to the law of insolvency, then, if any debt provable in insolvency is owing by the deceased in respect of a liability to a third party against which he was insured under a contract of insurance in accordance with the provisions of this Chapter, the deceased debtor¢s rights against the insurer in respect of that liability shall, notwithstanding anything to the contrary in any provision of law, be transferred to and vest in the person to whom the debt is owing.
- (3) Any condition in a policy issued for the purposes of this Chapter purporting, either directly or indirectly, to avoid the policy or to alter the rights of the parties thereunder upon the happening to the insured person of any of the events specified in clause (a) or clause (b) of sub-section (1) or upon the making of an order for the administration of the estate of a deceased debtor according to the law of insolvency, shall be of no effect.
- (4) Upon a transfer under sub-section (1) or sub-section (2), the insurer shall be under the same liability to the third party as he would

- (a) if the liability of the insurer to the insured person exceeds the liability of the insured person to the third party, nothing in this Chapter shall affect the rights of the insured person against the insurer in respect of the excess amount; and
- (b) if the liability of the insurer to the insured person is less than the liability of the insured person to the third party, nothing in this Chapter shall affect the rights of the third party against the insured person in respect of the balance amount.
- 152. Duty to give information as to insurance.—(1) No person against whom a claim is made in respect of any liability referred to in clause (b) of sub-section (1) of section 147 shall, on demand by or on behalf of the person making the claim, refuse to state whether or not he was insured in respect of that liability by any policy issued under the provisions of this Chapter, or would have been so insured if the insurer had not avoided or cancelled the policy, nor shall he refuse, if he was or would have been so insured, to give such particulars with respect to that policy as were specified in the certificate of insurance issued in respect thereof.
- (2) In the event of any person becoming insolvent or making an arrangement with his creditors or in the event of an order being made for the administration of the estate of a deceased person according to the law of insolvency, or in the event of a winding-up order being made or a resolution for a voluntary winding-up being passed with respect to any company or of a receiver or manager of the company or business or undertaking being duly appointed or of possession being taken by or on behalf of the holders of any debentures secured by a floating charge on any property comprised in or subject to the charge, it shall be the duty of the insolvent debtor, personal representative of the deceased debtor or company, as the case may be, or the official assignee or receiver in insolvency, trustee, liquidator, receiver or manager, or person in possession of the property to give, on the request of any person claiming that the insolvent debtor, deceased debtor or company is under such liability to him as is covered by the provision of this Chapter, such information as may reasonably be required by him for the purpose of ascertaining whether any rights have been transferred to and vested in him by section 151 and for the purpose

- of enforcing such rights, if any, and any such contract of insurance as purports whether directly or indirectly to avoid the contract or to alter the rights of the parties thereunder upon the giving of such information in the events aforesaid, or otherwise to prohibit or prevent the giving thereof in the said events, shall be of no effect.
- (3) If, from the information given to any person in pursuance of sub-section (2) or otherwise, he has reasonable ground for supporting that there have or may have been transferred to him under this Chapter rights against any particular insurer, that insurer shall be subject to the same duty as is imposed by the said sub-section on the persons therein mentioned.
- (4) The duty to give the information imposed by this section shall include a duty to allow all contracts of insurance, receipts for premiums, and other relevant documents in the possession or power of the person on whom the duty is so imposed to be inspected and copies thereof to be taken.
- 153. Settlement between insurers and insured persons.—(1) No settlement made by an insurer in respect of any claim which might be made by a third party in respect of any liability of the nature referred to in clause (b) of sub-section (1) of section 147 shall be valid unless such third party is a party to the settlement.
- (2) The Claims Tribunal shall ensure that the settlement is bona fide and was not made under undue influence and the compensation is made in accordance with the payment schedule referred to in sub-section (1) of section 164.
- (3) Where a person who is insured under a policy issued for the purpose of this Chapter has become insolvent, or where, if such insured person is a company, a winding-up order has been made or a resolution for a voluntary winding-up has been passed with respect to the company, no agreement made between the insurer and the insured person after the liability has been incurred to a third party and after the commencement of the insolvency or winding-up, as the case may be, nor any waiver, assignment or other disposition made by or payment made to the insured person after the commencement aforesaid, shall be effective to defeat the rights transferred to the third party under this Chapter; but those rights shall be the same as if no such agreement, waiver, assignment or disposition or payment has been made.

- 154. Saving in respect of sections 151, 152 and 153.—(1) For the purposes of sections 151, 152 and 153, a reference to õliabilities to third partiesö in relation to a person insured under any policy of insurance shall not include a reference to any liability of that person in the capacity of insurer under some other policy of insurance.
- (2) The provisions of sections 151, 152 and 153 shall not apply where a company is wound-up voluntarily merely for the purposes of reconstruction or of an amalgamation with another company.
- 155. Effect of death on certain causes of action.— Notwithstanding anything contained in section 306 of the Indian Succession Act, 1925, (39 of 1925) the death of a person in whose favour a certificate of insurance had been issued, if it occurs after the happening of an event which has given rise to a claim under the provisions of this Chapter, shall not be a bar to the survival of any cause of action arising out of such event against his estate or against the insurer.
- 156. Effect of certificate of insurance.—When an insurer has issued a certificate of insurance in respect of a contract of insurance between the insurer and the insured person, thenô
 - (a) if and so long as the policy described in the certificate has not been issued by the insurer to the insured, the insurer shall, as between himself and any other person except the insured, be deemed to have issued to the insured person a policy of insurance conforming in all respects with the description and particulars stated in such certificate; and
 - (b) if the insurer has issued to the insured the policy described in the certificate, but the actual terms of the policy are less favourable to persons claiming under or by virtue of the policy against the insurer either directly or through the insured than the particulars of the policy as stated in the certificate, the policy shall, as between the insurer and any other person except the insured, be deemed to be in terms conforming in all respects with the particulars stated in the said certificate.
- 157. Transfer of certificate of insurance.—(1) Where a person, in whose favour the certificate of insurance has been issued in

accordance with the provisions of this Chapter, transfers to another person the ownership of the motor vehicle in respect of which such insurance was taken together with the policy of insurance relating thereto, the certificate of insurance and the policy described in the certificate shall be deemed to have been transferred in favour of the person to whom the motor vehicle is transferred with effect from the date of its transfer.

- Explanation.—For the removal of doubts, it is hereby clarified that such deemed transfer shall include transfer of rights and liabilities of the said certificate of insurance and policy of insurance.
- (2) The transferee shall apply within fourteen days from the date of transfer in the prescribed form to the insurer for making necessary changes in regard to the fact of transfer in the certificate of insurance and the policy described in the certificate in his favour, and the insurer shall make the necessary changes in the certificate and the policy of insurance in regard to the transfer of insurance.
- 158. Production of certain certificates, licence and permit in certain cases.—(1) Any person driving a motor vehicle in any public place shall, on being so required by a police officer in uniform authorised in this behalf by the State Government, produceô
 - (a) the certificate of insurance;
 - (b) the certificate of registration;
 - (c) the pollution under control certificate;
 - (d) the driving licence;
 - (e) in the case of a transport vehicle, also the certificate of fitness referred to in section 56, and the permit; and
 - (f) any certificate or authorisation of exemption that has been granted under this Act, relating to the use of the vehicle.
- (2) Where, owing to the presence of a motor vehicle in a public place, an accident occurs involving death or bodily injury to another person, if the driver of the vehicle does not at that time produce the required certificate, driving licence and permit referred to in

sub-section (1) to a police officer, he or the owner shall produce the said certificates, licence and permit at the police station at which the driver makes the report required by section 134.

(3) No person shall be liable to conviction for offences under subsection (1) or sub-section (2) by reason of the failure to produce the required certificate if, within seven days from the date on which its production was required under sub-section (1), or as the case may be, from the date of occurrence of the accident, he produces the certificate at such police station as may have been specified by him to the police officer who required its production or, as the case may be, to the police officer at the site of the accident or to the officer-in-charge of the police station at which he reported the accident:

Provided that except to such extent and with such modifications as may be prescribed, the provisions of this sub-section shall not apply to the driver of a transport vehicle.

- (4) The owner of a motor vehicle shall give such information as he may be required by or on behalf of a police officer empowered in this behalf by the State Government for the purpose of determining whether the vehicle was or was not being driven in contravention of section 146 and on any occasion when the driver was required under this section to produce the certificate of insurance.
- (5) In this section, the expression õproduce the certificate of insuranceö means production for examination the relevant certificate of insurance or such other evidence as may be prescribed to prove that the vehicle was not being driven in contravention of section 146.
- 159. Information to be given regarding accident.—The police officer shall, during the investigation, prepare an accident information report to facilitate the settlement of claim in such form and manner, within three months and containing such particulars and submit the same to the Claims Tribunal and such other agency as may be prescribed.
- 160. Duty to furnish particulars of vehicle involved in accident.—A registering authority or the officer-in-charge of a police station shall, if so required by a person who alleges that he is entitled to claim compensation in respect of an accident arising out of the use of a motor vehicle, or if so required by an insurer against whom a claim has been made in respect of any motor vehicle, furnish to that

person or to that insurer, as the case may be, on payment of the prescribed fee, any information at the disposal of the said authority or the said police officer relating to the identification marks and other particulars of the vehicle and the name and address of the person who was using the vehicle at the time of the accident or was injured by it and the property, if any, damaged in such form and within such time as the Central Government may prescribe.

- 161. Special provisions as to compensation in case of hit and run motor accident.—(1) Notwithstanding anything contained in any other law for the time being in force or any instrument having the force of law, the Central Government shall provide for paying in accordance with the provisions of this Act and the scheme made under sub-section (3), compensation in respect of the death of, or grievous hurt to, persons resulting from hit and run motor accidents.
- (2) Subject to the provisions of this Act and the scheme made under sub-section (3), there shall be paid as compensation,ô
 - (a) in respect of the death of any person resulting from a hit and run motor accident, a fixed sum of two lakh rupees or such higher amount as may be prescribed by the Central Government;
 - (b) in respect of grievous hurt to any person resulting from a hit and run motor accident, a fixed sum of fifty thousand rupees or such higher amount as may be prescribed by the Central Government.
- (3) The Central Government may, by notification in the Official Gazette, make a scheme specifying the manner in which the scheme shall be administered by the Central Government or General Insurance Council, the form, manner and the time within which applications for compensation may be made, the officers or authorities to whom such applications may be made, the procedure to be followed by such officers or authorities for considering and passing orders on such applications, and all other matters connected with, or incidental to, the administration of the scheme and the payment of compensation under this section.
 - (4) A scheme made under sub-section (3) may provide that,ô
 - (a) a payment of such sum as may be prescribed by the Central Government as interim relief to any claimant under such scheme;

- (b) a contravention of any provision thereof shall be punishable with imprisonment which may extend to two years, or with fine which shall not be less than twenty-five thousand rupees but may extend to five lakh rupees or with both;
- (c) the powers, functions or duties conferred or imposed on any officer or authority by such scheme may be delegated with the prior approval in writing of Central Government, by such officer or authority to any other officer or authority.
- 162. Scheme for golden hour.—(1) Notwithstanding anything contained in the General Insurance Companies (Nationalisation) Act, 1972 (57 of 1972) or any other law for the time being in force or any instrument having the force of law, the insurance companies for the time being carrying on general insurance business in India shall provide in accordance with the provisions of this Act and the schemes made under this Act for treatment of road accident victims, including during the golden hour.
- (2) The Central Government shall make a scheme for the cashless treatment of victims of the accident during the golden hour and such scheme may contain provisions for creation of a fund for such treatment.
- 163. Refund in certain cases of compensation paid under section 161.—(1) The payment of compensation in respect of the death of, or grievous hurt to, any person under section 161 shall be subject to the condition that if any compensation (hereafter in this sub-section referred to as the other compensation) or other amount in lieu of or by way of satisfaction of a claim for compensation is awarded or paid in respect of such death or grievous hurt under any other provision of this Act or any other law for the time being in force or otherwise, so much of the other compensation or other amount aforesaid as is equal to the compensation paid under section 161, shall be refunded to the insurer.
- (2) Before awarding compensation in respect of an accident involving the death of, or bodily injury to, any person arising out of the use of a motor vehicle under any provision of this Act other than section 161 or any other law for the time being in force, the Claims Tribunal, court or other authority awarding such compensation shall verify as to whether in respect of such death or bodily injury compensation has already been paid under section 161 or an application

for payment of compensation is pending under that section, and such Tribunal, court or other authority shallô

- (a) if compensation has already been paid under section 161, direct the person liable to pay the compensation awarded by it to refund to the insurer, so much thereof as is required to be refunded in accordance with the provisions of subsection (1);
- (b) if an application for payment of compensation is pending under section 161 forward the particulars as to the compensation awarded by it to the insurer.

Explanation.—For the purpose of this sub-section, an application for compensation under section 161 shall be deemed to be pendingô

- (i) if such application has been rejected, till the date of the rejection of the application; and
- (ii) in any other case, till the date of payment of compensation in pursuance of the application.
- 164. Payment of compensation in case of death or grevious hurt, etc.—(1) Notwithstanding anything contained in this Act or in any other law for the time being in force or instrument having the force of law, the owner of the motor vehicle or the authorised insurer shall be liable to pay in the case of death or grievous hurt due to any accident arising out of the use of motor vehicle, a compensation, of a sum of five lakh rupees in case of death or of two and a half lakh rupees in case of grievous hurt to the legal heirs or the victim, as the case may be.
- (2) In any claim for compensation under sub-section (1), the claimant shall not be required to plead or establish that the death or grievous hurt in respect of which the claim has been made was due to any wrongful act or neglect or default of the owner of the vehicle or of the vehicle concerned or of any other person.
- (3) Where, in respect of death or grievous hurt due to an accident arising out of the use of motor vehicle, compensation has been paid under any other law for the time being in force, such amount of

- 164A. Scheme for interim relief for claimants.—(1) The Central Government, may make schemes for the provision of interim relief to claimants praying for compensation under this Chapter.
- (2) A scheme made under sub-section (1) shall also provide for procedure to recover funds disbursed under such scheme from the owner of the motor vehicle, where the claim arises out of the use of such motor vehicle or other sources as may be prescribed by the Central Government.
- 164B. *Motor Vehicle Accident Fund*.—(1) The Central Government shall constitute a Fund to be called the Motor Vehicle Accident Fund and thereto shall be creditedô
 - (a) payment of a nature notified and approved by the Central Government:
 - (b) any grant or loan made to the Fund by the Central Government ;
 - (c) the balance of the Fund created under scheme framed under section 163, as it stood immediately before the commencement of the Motor Vehicles (Amendment) Act, 2019; and
 - (d) any other source of income as may be prescribed by the Central Government.
- (2) The Fund shall be constituted for the purpose of providing compulsory insurance cover to all road users in the territory of India.
 - (3) The Fund shall be utilised for the following, namely :ô
 - (a) treatment of the persons injured in road accidents in accordance with the scheme framed by the Central Government under section 162;
 - (b) compensation to representatives of a person who died in hit and run motor accident in accordance with schemes framed under section 161;

- - (c) compensation to a person grievously hurt in a hit and run motor accident in accordance with schemes framed under section 161; and
 - (d) compensation to such persons as may be prescribed by the Central Government.
- (4) The maximum liability amount that shall be paid in each case shall be such as may be prescribed by the Central Government.
- (5) In all cases specified in clause (a) of sub-section (3), when the claim of such person becomes payable, where amount has been paid out of this Fund to any person, the same amount shall be deductible from the claim received by such person from the insurance company.
- (6) The Fund shall be managed by such authority or agency as the Central Government may specify having regard to the following :ô
 - (a) knowledge of insurance business of the agency;
 - (b) capability of the agency to manage funds; and
 - (c) any other criteria as may be prescribed by the Central Government.
- (7) The Central Government shall maintain proper accounts and other relevant records and prepare an annual statement of accounts of the Fund in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor General of India.
- (8) The accounts of the Fund shall be audited by the Comptroller and Auditor General of India at such intervals as may be specified by him.
- (9) The Comptroller and Auditor General of India or any person appointed by him in connection with the audit of the accounts of the Fund under this Act shall have the same rights, privileges and authority in connection with such audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Authority.

- (10) The accounts of the Fund, as certified by the Comptroller and Auditor General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Central Government and the Central Government shall cause the same to be laid before each House of the Parliament.
- (11) Any scheme framed under sub-section (3) of section 161, as it stood immediately before the commencement of the Motor Vehicles (Amendment) Act, 2019, shall be discontinued and all rights and liabilities accruing thereunder shall be met out of the Fund with effect from the date of commencement of this Act.
- 164C. Power of Central Government to make rules.—(1) The Central Government may make rules for the purposes of carrying into effect, the provisions of this Chapter.
- (2) Without prejudice to the generality of the foregoing power, such rules may provide forô
 - (a) the forms to be used for the purposes of this Chapter including,ô
 - (i) the form of the insurance policy and the particulars it shall contain as referred to in sub-section (3) of section 147;
 - (ii) the form for making changes in regard to the fact of transfer in the certificate of insurance under subsection (2) of section 157;
 - (iii) the form in which the accident information report may be prepared, the particulars it shall contain, the manner and the time for submitting the report to the Claims Tribunal and the other agency under section 159;
 - (iv) the form for furnishing information under section 160; and
 - (v) the form of the annual statement of accounts for the Motor Vehicle Accident Fund under sub-section (7) of section 164B;
 - (b) the making of applications for and the issue of certificates of insurance;

- (c) the issue of duplicates to replace certificates of insurance lost, destroyed or mutilated;
- (d) the custody, production, cancellation and surrender of certificates of insurance ;
- (e) the records to be maintained by insurers of policies of insurance issued under this Chapter;
- (f) the identification by certificates or otherwise of persons or vehicles exempted from the provisions of this Chapter;
- (g) the furnishing of information respecting policies of insurance by insurers;
- (h) adopting the provisions of this Chapter to vehicles brought into India by persons making only a temporary stay therein or to vehicles registered in a reciprocating country and operating on any route or within any area in India by applying those provisions with prescribed modifications;
- (i) the requirements which a certificate of insurance is required to comply with as referred to in clause (b) of section 145;
- (j) administration of the Fund established under sub-section (3) of section 146;
- (k) the minimum premium and the maximum liability of an insurer under sub-section (2) of section 147;
- (1) the conditions subject to which an insurance policy shall be issued and other matters related thereto as referred to in sub-section (3) of section 147;
- (m) the details of settlement, the time limit for such settlement and the procedure thereof under sub-section (2) of section 149;
- (n) the extent of exemptions and the modifications under the proviso to sub-section (3) of section 158;
- (o) the other evidence under sub-section (5) of section 158;

- (p) such other agency to which the accident information report as referred to in section 159 may be submitted;
- (q) the time limit and fee for furnishing information under section 160;
- (r) the higher amount of compensation in respect of death under clause (a) of sub-section (2) of section 161;
- (s) a sum to be paid as interim relief as referred to in clause (a) of sub-section (4) of section 161;
- (t) the procedure for payment of compensation under subsection (1) of section 164;
- (u) such other sources from which funds may be recovered for the scheme as referred to in sub-section (2) of section 164A;
- (v) any other source of income that may be credited into the Motor Vehicle Accident Fund under sub-section (1) of section 164B;
- (w) the persons to whom compensation may be paid under clause (d) of sub-section (3) of section 164B;
- (x) the maximum liability amount under sub-section (4) of section 164B;
- (y) the other criteria under clause (c) of sub-section (6) of section 164B;
- (z) any other matter which is to be, or may be, prescribed or in respect of which provision is to be made by rules.
- 164D. Power of State Government to make rules.—(1) The State Government may make rules for the purposes of carrying into effect, the provisions of this Chapter other than the matters specified in section 164C.

- (2) Without prejudice to the generality of the foregoing power, such rules may provide forô
 - (a) the other authority under sub-section (5) of section 147; and
 - (b) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made by rules.ö.
- 52. Amendment of section 165.—In section 165 of the principal Act, in the Explanation, for the words, figures and letter õsection 140 and section 163Aö, the word and figures õsection 164ö shall be substituted.
- 53. Amendment of section 166.—In section 166 of the principal Act,ô
 - (i) in sub-section (1), after the proviso, the following proviso shall be inserted, namely :ô
 - õProvided further that where a person accepts compensation under section 164 in accordance with the procedure provided under section 149, his claims petition before the Claims Tribunal shall lapse.ö.
 - (ii) in sub-section (2), the proviso shall be omitted;
 - (iii) after sub-section (2), the following sub-section shall be inserted, namely :ô
 - õ(3) No application for compensation shall be entertained unless it is made within six months of the occurrence of the accident.ö.
 - (iv) in sub-section (4), for the words, brackets and figures õsub-section (6) of section 158ö, the word and figures õsection 159ö shall be substituted;
 - (v) after sub-section (4), the following sub-section shall be inserted, namely :ô
 - õ(5) Notwithstanding anything in this Act or any other law for the time being in force, the right of a person to claim compensation for injury in an accident shall, upon the death of the person injured, survive to his legal

- 54. Amendment of section 168.—In section 168 of the principal Act, in sub-section (1),ô
 - (i) for the word and figures õsection 162ö, the word and figures õsection 163ö shall be substituted;
 - (ii) the proviso shall be omitted.
- 55. Amendment of section 169.— In section 169 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely :ô
 - õ(4) For the purpose of enforcement of its award, the Claims Tribunal shall also have all the powers of a Civil Court in the execution of a decree under the Code of Civil Procedure, 1908, (5 of 1908) as if the award were a decree for the payment of money passed by such court in a civil suit.ö.
- 56. Amendment of section 170.—In section 170 of the principal Act, for the word and figures õsection 149ö the word and figures õsection 150ö shall be substituted.
- 57. Amendment of section 173.—In section 173 of the principal Act, in sub-section (2), for the words õten thousandö, the words õone lakhö shall be substituted.
- 58. Amendment of section 177.—In section 177 of the principal Act, for the words õone hundred rupeesö and õthree hundred rupeesö, the words õfive hundred rupeesö and õone thousand and five hundred rupeesö shall respectively be substituted.
- 59. *Insertion of section 177A*.—After section 177 of the principal Act, the following section shall be inserted, namely :ô
 - õ177A. Penalty for contravention of regulations under section 118.—Whoever contravenes the regulations made under section 118, shall be punishable with fine which shall not be less than five hundred rupees, but may extend to one thousand rupees.ö.

- 60. Amendment of section 178.—In section 178 of the principal Act, in sub-section (3), in clause (b), for the words õtwo hundred rupeesö, the words õfive hundred rupeesö shall be substituted.
- 61. Amendment of section 179.—In section 179 of the principal Act,ô
 - (i) in sub-section (1), for the words ofive hundred rupeeso, the words otwo thousand rupeeso shall be substituted;
 - (ii) in sub-section (2), for the words ofive hundred rupeeso, the words of two thousand rupeeso shall be substituted.
- 62. Amendment of section 180.—In section 180 of the principal Act, for the words õwhich may extend to one thousand rupeesö, the words õof five thousand rupeesö shall be substituted.
- 63. Amendment of section 181.—In section 181 of the principal Act, for the words õwhich may extend to five hundred rupeesö, the words õof five thousand rupeesö shall be substituted.
- 64. Amendment of section 182.—In section 182 of the principal Act.ô
 - (i) in sub-section (1), for the words õwhich may extend to five hundred rupeesö, the words õof ten thousand rupeesö shall be substituted;
 - (ii) in sub-section (2), for the words one hundred rupeeso, the words often thousand rupeeso shall be substituted.
- 65. Substitution of new section for section 182A.—For section 182A of the principal Act, the following sections shall be substituted, namely :ô
 - õ182A. Punishment for offences relating to construction, maintenance, sale and alteration of motor vehicles and components.—(1) Whoever, being a manufacturer, importer or dealer of motor vehicles, sells or delivers or alters or offers to sell or deliver or alter, a motor vehicle that is in contravention of the provisions of Chapter VII or the rules and regulations made thereunder, shall be punishable with imprisonment for a

term which may extend to one year, or with fine of one lakh rupees per such motor vehicle or with both:

Provided that no person shall be convicted under this section if he proves that, at the time of sale or delivery or alteration or offer of sale or delivery or alteration of such motor vehicle, he had disclosed to the other party the manner in which such motor vehicle was in contravention of the provisions of Chapter VII or the rules and regulations made thereunder.

- (2) Whoever, being a manufacturer of motor vehicles, fails to comply with the provisions of Chapter VII or the rules and regulations made thereunder, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one hundred crore rupees or with both.
- (3) Whoever, sells or offers to sell, or permits the sale of any component of a motor vehicle which has been notified as a critical safety component by the Central Government and which does not comply with Chapter VII or the rules and regulations made thereunder shall be punishable with imprisonment for a term which may extend to one year or with fine of one lakh rupees per such component or with both.
- (4) Whoever, being the owner of a motor vehicle, alters a motor vehicle, including by way of retrofitting of motor vehicle parts, in a manner not permitted under the Act or the rules and regulations made thereunder shall be punishable with imprisonment for a term which may extend to six months, or with fine of five thousand rupees per such alteration or with both.
- 182B. Punishment for contravention of section 62A.—Whoever contravenes the provisions of section 62A, shall be punishable with fine which shall not be less than five thousand rupees, but may extend to ten thousand rupees.ö.
- 66. Amendment of section 183.—In section 183 of the principal Act,ô
 - (i) in sub-section (1),ô
 - (a) after the words õWhoever drivesö, the words õor causes any person who is employed by him or subjects someone under his control to driveö shall be inserted;

(b) for the words owith fine which extend to four hundred rupees, or, if having been previously convicted of an offence under this sub-section is again convicted of an offence under this sub-section, with fine which may extend to one thousand rupeeso, the following shall be substituted, namely

õin the following manner, namely :ô

- (i) where such motor vehicle is a light motor vehicle with fine which shall not be less than one thousand rupees but may extend to two thousand rupees;
- (ii) where such motor vehicle is a medium goods vehicle or a medium passenger vehicle or a heavy goods vehicle or a heavy passenger vehicle with fine which shall not be less than two thousand rupees, but may extend to four thousand rupees; and
- (iii) for the second or any subsequent offence under this sub-section the driving licence of such driver shall be impounded as per the provisions of the sub-section (4) of section 206.ö.
- (ii) sub-section (2) shall be omitted.
- (iii) in sub-section (3), after the word õmechanicalö, the words õor electronicö shall be inserted.
- (iv) in sub-section (4), for the word, brackets and figure õsub-section (2)ö, the word, brackets and figure õsub-section (1)ö shall be substituted.
- 67. Amendment of section 184.—In section 184 of the principal Act,ô
 - (i) after the words odangerous to the publico, the words oor which causes a sense of alarm or distress to the occupants of the vehicle, other road users, and persons near roads,out shall be inserted;
 - (ii) for the words owhich may extend to six months or with fine which may extend to one thousand rupeeso, the words

õwhich may extend to one year but shall not be less than six months or with fine which shall not be less than one thousand rupees but may extend to five thousand rupees, or with bothö shall be substituted;

- (iii) for the words owhich may extend to two thousand rupeeso, the words of ten thousand rupeeso shall be substituted;
- (iv) the following Explanation shall be inserted, namely :ô

"Explanation.—For the purpose of this section,ô

- (a) jumping a red light;
- (b) violating a stop sign;
- (c) use of handheld communications devices while driving;
- (d) passing or overtaking other vehicles in a manner contrary to law;
- (e) driving against the authorised flow of traffic; or
- (f) driving in any manner that falls far below what would be expected of a competent and careful driver and where it would be obvious to a competent and careful driver that driving in that manner would be dangerous,
 - shall amount to driving in such manner which is dangerous to the public.ö.
- 68. Amendment of section 185.—In section 185 of the principal Act,ô
 - (i) in clause (a), after the words obreath analyser, o, the words oor in any other test including a laboratory test, o shall be inserted;
 - (ii) for the words owhich may extend to two thousand rupeeso, the words oof ten thousand rupeeso shall be substituted;
 - (iii) the words oif committed within three years of the commission of the previous similar offence, o shall be omitted;

- - (iv) for the words owhich may extend to three thousand rupeeso, the words of fifteen thousand rupeeso shall be substituted;
 - (v) for the Explanation, the following Explanation shall be substituted, namely :ó
- 'Explanation.—For the purposes of this section, the expression odrugo means any intoxicant other than alcohol, natural or synthetic, or any natural material or any salt, or preparation of such substance or material as may be notified by the Central Government under this Act and includes a narcotic drug and psychotropic substance as defined in clause (xiv) and clause (xxiii) of section 2 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985).
- 69. Amendment of section 186.—In section 186 in the principal Act, for the words õtwo hundred rupeesö and õfive hundred rupeesö, the words õone thousand rupeesö and õtwo thousand rupeesö shall respectively be substituted.
- 70. Amendment of section 187.—In section 187 of the principal Act,ô
 - (i) for the brackets and letter $\tilde{o}(c)\ddot{o}$ the brackets and letter $\tilde{o}(a)\ddot{o}$ shall be substituted;
 - (ii) for the words õthree monthsö, the words õsix monthsö shall be substituted;
 - (iii) for the words owhich may extend to five hundred rupeeso, the words oof five thousand rupeeso shall be substituted;
 - (iv) for the words "six months", the words "one year" shall be substituted; and
 - (v) for the words õwhich may extend to one thousand rupeesö, the words õof ten thousand rupeesö shall be substituted.
- 71. Amendment of section 189.—In section 189 of the principal Act,ô
 - (i) for the words oone montho, the words othree monthso shall be substituted;
 - (ii) for the words õwhich may extend to five hundred rupeesö, the words õof five thousand rupeesö shall be substituted;

- (iii) after the words õwith bothö, the words, õand for a subsequent offence shall be punishable with imprisonment for a term which may extend to one year, or with fine of ten thousand rupees; or with both.ö shall be inserted.
- 72. Amendment of section 190.—In section 190 of the principal Act.ô
 - (i) in sub-section (1),ô
 - (a) for the words õwhich may extend to two hundred and fifty rupeesö, the words õof one thousand five hundred rupeesö shall be substituted;
 - (b) for the words õwhich may extend to one thousand rupeesö, the words õof five thousand rupeesö shall be substituted; and
 - (c) after the words owith botho, the words oand for a subsequent offence shall be punishable with imprisonment for a term which may extend to six months, or with a fine of ten thousand rupees for bodily injury or damage to propertyo shall be inserted.

(ii) in sub-section (2),ô

- (a) for the words õa fine of one thousand rupeesö, the words õimprisonment for a term which may extend to three months, or with fine which may extend to ten thousand rupees or with both and he shall be disqualified for holding licence for a period of three monthsö shall be substituted; and
- (b) for the words õa fine of two thousand rupeesö, the words õimprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees or with bothö shall be substituted;

(iii) in sub-section (3),ô

(a) for the words owhich may extend to three thousand rupeeso, the words owith a fine of ten thousand rupees

- - and he shall be disqualified for holding licence for a period of three monthsö shall be substituted; and
 - (b) for the words owhich may extend to five thousand rupeeso, the words of twenty thousand rupeeso shall be substituted.
- 73. *Omission of section 191*.—Section 191 of the principal Act shall be omitted.
- 74. Amendment of section 192.—In section 192 of the principal Act, the following Explanation shall be inserted, namely :ô
- õExplanation.ô Use of a motor vehicle in contravention of the provisions of section 56 shall be deemed to be a contravention of the provisions of section 39 and shall be punishable in the same manner as provided in sub-section (1).ö.
- 75. Amendment of section 192A.—In section 192A of the principal Act, in sub-section (1),ô
 - (i) after the words off the first offence witho, the words oimprisonment for a term which may extend to six months ando shall be inserted;
 - (ii) for the words owhich may extend to five thousand rupees but shall not be less than two thousand rupeesö, the words of ten thousand rupeesö shall be substituted;
 - (iii) for the words õthree monthsö, the words õsix monthsö shall be substituted ;
 - (iv) for the words õwhich may extend to ten thousand rupees but shall not be less than five thousand rupeesö, the words õof ten thousand rupeesö shall be substituted.
- 76. Insertion of new section 192B.—After section 192A of the principal Act, the following section shall be inserted, namely :ô
 - õ192B. Offences relating to registration.—(1) Whoever, being the owner of a motor vehicle, fails to make an application for

registration of such motor vehicle under sub-section (1) of section 41 shall be punishable with fine of five times the annual road tax or one-third of the lifetime tax of the motor vehicle whichever is higher.

- (2) Whoever, being a dealer, fails to make an application for the registration of a new motor vehicle under the second proviso to sub-section (1) of section 41 shall be punishable with fine of fifteen times the annual road tax or the lifetime tax of the motor vehicle whichever is higher.
- (3) Whoever, being the owner of a motor vehicle, obtains a certificate of registration for such vehicle on the basis of documents which were, or by representation of facts which was, false in any material particular, or the engine number or the chassis number embossed thereon are different from such number entered in the certificate of registration shall be punishable with imprisonment for a term which shall not be less than six months but may extend to one year and with fine equal to ten times the amount of the annual road tax or two-third the lifetime tax of the motor vehicle, whichever is higher.
- (4) Whoever, being a dealer, obtains a certificate of registration for such vehicle on the basis of documents which were, or by representation of facts which was, false in any material particular, or the engine number or the chassis number embossed thereon are different from such number entered in the certificate of registration shall be punishable with imprisonment for a term which shall not be less than six months but may extend to one year and with fine equal to ten times the amount of annual road tax or two-third the lifetime tax of the motor vehicle, whichever is higher.ö.
- 77. Amendment of section 192.—In the principal Act,ô
 - (A) in section 193, in the marginal heading, for the words õagents and canvassersö, the words õagents, canvassers and aggregatorsö shall be substituted;

- (B) section 193 shall be numbered as sub-section (1) thereof, andô
- (i) in sub-section (1) as so numbered,-ô
 - (a) for the words owhich may extend to one thousand rupeeso, the words oof one thousand rupeeso shall be substituted;
 - (b) for the words owhich may extend to two thousand rupeeso, the words of two thousand rupeeso shall be substituted:
- (ii) after sub-section (1) as so numbered, the following subsections shall be inserted, namely :ô
 - õ(2) Whoever engages himself as an aggregator in contravention of the provisions of section 93 or of any rules made thereunder shall be punishable with fine up to one lakh rupees but shall not be less than twenty-five thousand rupees.
 - (3) Whoever, while operating as an aggregator contravenes a condition of the licence granted under sub-section (1) of section 93, not designated by the State Government as a material condition, shall be punishable with fine of five thousand rupees.ö.
- 78. Amendment of section 194.—In section 194 of the principal Act,ô
 - (i) in sub-section (1),ô
 - (a) the word ominimumo shall be omitted;
 - (b) for the words of two thousand rupees and an additional amount of one thousand rupees per tonne of excess loado, the words of twenty thousand rupees and an additional amount of two thousand rupees per tonne of excess loado shall be substituted;
 - (c) the following proviso shall be inserted, namely :ô õProvided that such motor vehicle shall not be allowed to move before such excess load is removed or is

caused or allowed to be removed by the person in control of such motor vehicle.ö:

(ii) after sub-section (1), the following sub-section shall be inserted, namely :ô

õ(1A) Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven when such motor vehicle is loaded in such a manner that the load or any part thereof or anything extends laterally beyond the side of the body or to the front or to the rear or in height beyond the permissible limit shall be punishable with a fine of twenty thousand rupees, together with the liability to pay charges for off-loading of such load:

Provided that such motor vehicle shall not be allowed to move before such load is arranged in a manner such that there is no extension of the load laterally beyond the side of the body or to the front or to the rear or in height beyond the permissible limit:

Provided further that nothing in this sub-section shall apply when such motor vehicle has been given an exemption by the competent authority authorised in this behalf, by the State Government or the Central Government, allowing the carriage of a particular load.ö;

- (iii) in sub-section (2), for the words, õwhich may extend to three thousand rupeesö, the words õof forty thousand rupeesö shall be substituted.
- 79. Insertion of new sections 194A, 194B, 194C, 194D, 194E and 194F.—After section 194 of the principal Act, the following sections shall be inserted, namely :ô

õ194A. Carriage of excess passengers.—Whoever drives a transport vehicle or causes or allows a transport vehicle to be driven while carrying more passengers than is authorised in the registration certificate of such transport vehicle or the permit conditions applicable to such transport vehicle shall be punishable with a fine of two hundred rupees per excess passenger:

Provided that such transport vehicle shall not be allowed to move before the excess passengers are off-loaded and an alternative transport is arranged for such passengers. 194B. Use of safety belts and the seating of children.—(1) Whoever drives a motor vehicle without wearing a safety belt or carries passengers not wearing seat belts shall be punishable with a fine of one thousand rupees:

Provided that the State Government, may by notification in the Official Gazette, exclude the application of this sub-section to transport vehicles to carry standing passengers or other specified classes of transport vehicles.

- (2) Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven with a child who, not having attained the age of fourteen years, is not secured by a safety belt or a child restraint system shall be punishable with a fine of one thousand rupees.
- 194C. Penalty for violation of safety measures for motor cycle drivers and pillion riders.—Whoever drives a motor cycle or causes or allows a motor cycle to be driven in contravention of the provisions of section 128 or the rules or regulations made thereunder shall be punishable with a fine of one thousand rupees and he shall be disqualified for holding licence for a period of three months.
- 194D. Penalty for not wearing protective headgear.—Whoever drives a motor cycle or causes or allows a motor cycle to be driven in contravention of the provisions of section 129 or the rules or regulations made thereunder shall be punishable with a fine of one thousand rupees and he shall be disqualified for holding licence for a period of three months.
- 194E. Failure to allow free passage to emergency vehicles.—Whoever while driving a motor vehicle fails to draw to the side of the road, on the approach of a fire service vehicle or of an ambulance or other emergency vehicle as may be specified by the State Government, shall be punishable with imprisonment for a term which may extend to six months, or with a fine of ten thousand rupees or with both.

194F. Use of horns and silence zones.—Whoeverô

- (a) while driving a motor vehicleô
 - (i) sounds the horn needlessly or continuously or more than necessary to ensure safety, or

- (ii) sounds the horn in an area with a traffic sign prohibiting the use of a horn, or
- (b) drives a motor vehicle which makes use of a cut-out by which exhaust gases are released other than through the silencer, shall be punishable with a fine of one thousand rupees and for a second or subsequent offence with a fine of two thousand rupees.ö.
- 80. Omission of section 195.—Section 195 of the principal Act shall be omitted.
- 81. Amendment of section 196.—In section 196 of the principal Act,ô
 - (i) after the words õshall be punishableö, the words õfor the first offenceö shall be inserted;
 - (ii) for the words owhich may extend to one thousand rupeeso, the words oof two thousand rupees, shall be substituted; and
 - (iii) after the words owith botho, the words, oand for a subsequent offence shall be punishable with imprisonment for a term which may extend to three months, or with fine of four thousand rupees, or with both oshall be inserted.
- 82. Amendment of section 197.—In section 197 of the principal Act,ô
 - (i) in sub-section (1), for the words õwhich may extend to five hundred rupeesö, the words õof five thousand rupeesö shall be substituted:
 - (ii) in sub-section (2), for the words owhich may extend to five hundred rupeeso, the words of five thousand rupeeso shall be substituted.
- 83. Amendment of section 198.—In section 198 of the principal Act, for the words owith fine which may extend to one hundred rupeesö, the words owith fine of one thousand rupeesö shall be substituted.

- 84. *Insertion of new section 198A*.—After section 198 of the principal Act, the following section shall be inserted, namely :ô
 - ÷198A. Failure to comply with standards for road design, construction and maintenance.—(1) Any designated authority, contractor, consultant or concessionaire responsible for the design or construction or maintenance of the safety standards of the road shall follow such design, construction and maintenance standards, as may be prescribed by the Central Government from time to time.
 - (2) Where failure on the part of the designated authority, contractor, consultant or concessionaire responsible under subsection (1) to comply with standards for road design, construction and maintenance, results in death or disability, such authority or contractor or concessionaire shall be punishable with a fine which may extend to one lakh rupees and the same shall be paid to the Fund constituted under section 164B.
 - (3) For the purposes of sub-section (2), the court shall in particular have regard to the following matters, namely :ô
 - (a) the characteristics of the road, and the nature and type of traffic which was reasonably expected to use it as per the design of road;
 - (b) the standard of maintenance norms applicable for a road of that character and use by such traffic;
 - (c) the state of repair in which road users would have expected to find the road;
 - (d) whether the designated authority responsible for the maintenance of the road knew, or could reasonably have been expected to know, that the condition of the part of the road to which the action relates was likely to cause danger to the road users;
 - (e) whether the designated authority responsible for the maintenance of the road could not reasonably have been expected to repair that part of the road before the cause of action arose;

- (f) whether adequate warning notices through road signs, of its condition had been displayed; and
- (g) such other matters as may be prescribed by the Central Government.
- Explanation.ô For the purposes of this section, the term õcontractorö shall include sub-contractors and all such persons who are responsible for any stage in the design, construction and maintenance of a stretch of road.ø
- 85. Insertion of new sections 199A and 199B.—After section 199 of the principal Act, the following sections shall be inserted, namely :ô

õ199A. Offences by juveniles.—(1) Where an offence under this Act has been committed by a juvenile, the guardian of such juvenile or the owner of the motor vehicle shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall render such guardian or owner liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

- Explanation.—For the purposes of this section, the Court shall presume that the use of the motor vehicle by the juvenile was with the consent of the guardian of such juvenile or the owner of the motor vehicle, as the case may be.
 - (2) In addition to the penalty under sub-section (1), such guardian or owner shall be punishable with imprisonment for a term which may extend to three years and with a fine of twenty-five thousand rupees.
 - (3) The provisions of sub-section (1) and sub-section (2) shall not apply to such guardian or owner if the juvenile committing the offence had been granted a learner so licence under section 8 or a driving licence and was operating a motor vehicle which such juvenile was licensed to operate.

- - (4) Where an offence under this Act has been committed by a juvenile, the registration of the motor vehicle used in the commission of the offence shall be cancelled for a period of twelve months.
 - (5) Where an offence under this Act has been committed by a juvenile, then, notwithstanding section 4 or section 7, such juvenile shall not be eligible to be granted a driving licence under section 9 or a learner licence under section 8 until such juvenile has attained the age of twenty-five years.
 - (6) Where an offence under this Act has been committed by a juvenile, then such juvenile shall be punishable with such fines as provided in the Act while any custodial sentence may be modified as per the provisions of the Juvenile Justice Act, 2000 (56 of 2000).
 - 199B. *Revision of fines*.—The fines as provided in this Act shall be increased by such amount not exceeding ten per cent in value of the existing fines, on an annual basis on 1st day of April of each year from the date of commencement of the Motor Vehicles (Amendment) Act, 2019, as may be notified by the Central Government.ö.
- 86. Amendment of section 200.—In section 200 of the principal Act,ô
 - (i) in sub-section (1),ô
 - (a) for the words, figures and brackets õpunishable under section 177, section 178, section 179, section 180, section 181, section 182, sub-section (1) or sub-section (2) of section 183, section 184, section 186, section 189, sub-section (2) of section 190, section 191, section 192, section 194, section 196, or section 198,ö, the words, brackets, figures and letters õpunishable under section 177, section 178, section 179, section 180, section 181, section 182, sub-section (1) or sub-section (3) or sub-section (4) of section 182A, section 182B, sub-section (1) or sub-section (2) of section 183, section 184 only to the extent of use of handheld

communication devices, section 186, section 189, subsection (2) of section 190, section 192, section 192A, section 194, section 194A, section 194B, section 194C, section 194D, section 194E, section 194F, section 196, section 198, shall be substituted;

- (b) the following proviso shall be inserted, namely :ô
 - õProvided that the State Government may, in addition to such amount, require the offender to undertake a period of community service.ö.
- (ii) after sub-section (2), the following provisos shall be inserted, namely :ô

õProvided that notwithstanding compounding under this section, such offence shall be deemed to be a previous commission of the same offence for the purpose of determining whether a subsequent offence has been committed:

Provided further that compounding of an offence will not discharge the offender from proceedings under sub-section (4) of section 206 or the obligation to complete a driver refresher training course, or the obligation to complete community service, if applicable.ö.

- 87. Amendment of section 201.—In section 201 of the principal Act,ô
 - (i) in sub-section (1),ô
 - (a) the word õdisabledö shall be omitted;
 - (b) for the words õfifty rupees per hourö, the words õfive hundred rupeesö shall be substituted;
 - (c) in the second proviso, for the words õa Government Agency, towing chargesö, the words õan agency authorised by the Central Government or State Government, removal chargesö shall be substituted.

- - (ii) in sub-section (2), for the words õtowing chargesö, the words õremoval chargesö shall be substituted;
 - (iii) after sub-section (2), the following sub-section shall be inserted, namely :ô
 - õ(3) sub-section (1) shall not apply where the motor vehicle has suffered an unforeseen breakdown and is in the process of being removed.ö.
 - (iv) after sub-section (3), the following Explanation shall be inserted, namely :ô
- 'Explanation.—For the purposes of this section, õremoval chargesö includes any costs involved in the removal of the motor vehicle from one location to another and also includes any costs related to storage of such motor vehicle.ø.
- 88. Amendment of section 206.—In section 206 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely :ô
 - õ(4) A police officer or other person authorised in this behalf by the State Government shall, if he has reason to believe that the driver of a motor vehicle has committed an offence under any of sections 183, 184, 185, 189, 190, 194C, 194D, or 194E, seize the driving licence held by such driver and forward it to the licensing authority for disqualification or revocation proceedings under section 19:

Provided that the person seizing the licence shall give to the person surrendering the licence a temporary acknowledgement therefor, but such acknowledgement shall not authorise the holder to drive until the licence has been returned to him.ö.

- 89. Insertion of new sections 210A, 210B, 210C and 210D.—After section 210 of the principal Act, the following sections shall be inserted, namely :ô
 - õ210A. Power of State Government to increase penalties.— Subject to conditions made by the Central Government, a State

Government, shall, by notification in the Official Gazette, specify a multiplier, not less than one and not greater than ten, to be applied to each fine under this Act and such modified fine, shall be in force in such State and different multipliers may be applied to different classes of motor vehicles as may be classified by the State Government for the purpose of this section.

210B. Penalty for offence committed by an enforcing authority.—Any authority that is empowered to enforce the provisions of this Act shall, if such authority commits an offence under this Act, shall be liable for twice the penalty corresponding to that offence under this Act.

210C. Power of Central Government to make rules.—The Central Government may make rules forô

- (a) design, construction and maintenance standards for national highways;
- (b) such other factors as may be taken into account by the Court under sub-section (3) of section 198A;
- (c) any other matter which is, or has to be, prescribed by the Central Government.

210D. Power of State Government to make rules.—The State Government may make rules for design, construction and maintenance standards for roads other than national highways, and for any other matter which is, or may be, prescribed by the State Government.ö.

- 90. *Insertion of new section 211A*.—After section 211 of the principal Act, the following section shall be inserted, namely :ô
 - õ211A. *Use of electronic forms and documents.*—(1) Where any provision of this Act or the rules and regulations made thereunder provide forô
 - (a) the filing of any form, application or any other document with any office, authority, body or agency owned or

controlled by the Central Government or the State Government in a particular manner;

- (b) the issue or grant of any licence, permit, sanction, approval or endorsement, by whatever name called in a particular manner; or
- (c) the receipt or payment of money in a particular manner,

then notwithstanding anything contained in such provision, such requirement shall be deemed to have been satisfied if such filing, issue, grant, receipt or payment, as the case may be, is effected by means of such electronic form as may be prescribed by the Central Government or the State Government, as the case may be.

- (2) The Central Government or the State Government shall, for the purpose of sub-section (1), prescribeô
 - (a) the manner and format in which such electronic forms and documents shall be filed, created or issued; and
 - (b) the manner or method of payment of any fee or charges for filing, creation or issue of any electronic document under clause (a).ö.
- 91. Amendment of section 212.—In section 212 of the principal Act,ô
 - (i) in sub-section (4),ô
 - (a) after the words, brackets and figures of the proviso to sub-section (1) of section 112ö, the word and figures of osection 118ö shall be inserted;
 - (b) after the words, brackets, figures and letter õsubsection (4) of section 163Aö, the words, figures and letter õsection 164, section 177Aö shall be inserted;
 - (ii) after sub-section (4), the following sub-section shall be inserted, namely :ô
 - õ(5) Every notification issued by the State Government under section 210A shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House, while it is in

session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, the House agrees or both Houses agree, as the case may be, in making any modification in the notification or the House agrees or both Houses agree, as the case may be, that the notification should not be issued, the notification shall thereafter have effect only in such modified form or be of no effect as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.ö.

92. Insertion of new sections 215A, 215B, 215C and 215D.—After section 215 of the principal Act, the following sections shall be inserted, namely :ô

õ215A. Power of Central Government and State Government to delegate.—Notwithstanding anything contained in this Act,ô

- (a) the Central Government shall have the power to delegate any power or functions that have been conferred upon it by the Act to any public servant or public authority and authorise such public servant or public authority to discharge any of its powers, functions and duties under this Act;
- (b) the State Government shall have the power to delegate any power or functions that have been conferred upon it by the Act to any public servant or public authority and authorise such public servant or public authority to discharge any of its powers, functions and duties under this Act.
- 215B. National Road Safety Board.—(1) The Central Government shall, by notification in the Official Gazette, constitute a National Road Safety Board consisting of a Chairman, such number of representatives from the State Governments, and such other members as it may consider necessary and on such terms and conditions as may be prescribed by the Central Government.

- (2) The National Board shall render advice to the Central Government or State Government, as the case may be, on all aspects pertaining to road safety and traffic management including, but not limited to,ô
- (a) the standards of design, weight, construction, manufacturing process, operation and maintenance of motor vehicles and of safety equipment;
- (b) the registration and licensing of motor vehicles;
- (c) the formulation of standards for road safety, road infrastructure and control of traffic;
- (d) the facilitation of safe and sustainable utilisation of road transport ecosystem;
- (e) the promotion of new vehicle technology;
- (f) the safety of vulnerable road users;
- (g) programmes for educating and sensitising drivers and other road users; and
- (h) such other functions as may be prescribed by the Central Government from time to time.
- 215C. Power of Central Government to make rules.—(1) The Central Government may make rules for the purposes of carrying into effect the provisions of this Chapter.
- (2) Without prejudice to the generality of the foregoing power, such rules may provide forô
 - (a) the use of electronic forms and means for the filing of documents, issue or grant of licence, permit, sanction, approval or endorsements and the receipt or payment of money as referred to in section 211A;
 - (b) the minimum qualifications which the Motor Vehicles Department officers or any class thereof shall be required to possess for appointment as such, as referred to in sub-section (4) of section 213;
 - (c) the terms and conditions of appointment of Chairman and Members of the National Road Safety Board under sub-section (1) of section 215B;

- (d) the other functions of the National Road Safety Board under sub-section (2) of section 215B; and
- (e) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made by rules by the Central Government.
- 215D. Power of Central Government to make rules.—(1) The State Government may make rules for the purposes of carrying into effect, the provisions of this Chapter, other than the matters specified in section 215C.
- (2) Without prejudice to the generality of the foregoing power, such rules may provide forô
 - (a) the use of electronic forms and means for the filing of documents, issue or grant of licence, permit, sanction, approval or endorsements and the receipt or payment of money as referred to in section 211A;
 - (b) the duties and functions of the officers of the Motor Vehicle Department, the powers to be exercised by such officers (including the powers exercisable by police officers under this Act) and the conditions governing the exercise of such powers, the uniform to be worn by them, the authorities to which they shall be subordinate as referred to in sub-section (3) of section 213;
 - (c) such other powers as may be exercised by officers of the Motor Vehicles Department as referred to in clause (f) of sub-section (5) of section 213; and
 - (d) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made by rules by the State Government.ö.
- 93. *Omission of Second Sechedule*.—In the principal Act, the Second Schedule shall be omitted.



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART III

Laws, Regulations and Rules passed thereunder.

ô ô ô ó

THE CODE ON WAGES ACT, 2019

(Act No. 29 of 2019)

[8th August, 2019.]

An Act to amend and consolidate the laws relating to wages and bonus and matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Seventieth Year of the Republic of India as follows :ô

CHAPTER I

Preliminary

- 1. Short title, extent and commencement.ô (1) This Act may be called the Code on Wages Act, 2019.
 - (2) It extends to the whole of India.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette appoint; and different dates may be appointed for different provisions of this Code and any reference in any such provision to the commencement of this Code shall be construed as a reference to the coming into force of that provision.
- 2. Definitions.—In this Code, unless the context otherwise requires,óó
 - (a) õaccounting yearö means the year commencing on the 1st day of April ;
 - (b) õAdvisory Boardö means the Central Advisory Board or, as the case may be, the State Advisory Board, constituted under section 42:
 - (c) õagricultural income tax lawö means any law for the time being in force relating to the levy of tax on agricultural income;
 - (d) õappropriate Governmentö means,óó
 - (i) in relation to, an establishment carried on by or under the authority of the Central Government or the establishment of railways, mines, oil field, major ports, air transport service, telecommunication, banking and insurance company or a corporation or other authority established by a Central Act or a central public sector undertaking or subsidiary companies set up by central public sector undertakings or autonomous bodies owned or controlled by the Central Government,

including establishment of contractors for the purposes of such establishment, corporation or other authority, central public sector undertakings, subsidiary companies or autonomous bodies, as the case may be, the Central Government;

- (ii) in relation to any other establishment, the State Government;
- (e) õcompanyö means a company as defined in clause (20) of section 2 of the Companies Act, 2013 (18 of 2013);
- (f) õcontractorö, in relation to an establishment, means a person, whoô
 - (i) undertakes to produce a given result for the establishment, other than a mere supply of goods or articles of manufacture to such establishment, through contract labour; or
 - (ii) supplies contract labour for any work of the establishment as mere human resource and includes a sub-contractor;
- (g) õcontract labourö means a worker who shall be deemed to be employed in or in connection with the work of an establishment when he is hired in or in connection with such work by or through a contractor, with or without the knowledge of the principal employer and includes inter-State migrant worker but does not include a worker (other than part-time employee) who óó
 - (i) is regularly employed by the contractor for any activity of his establishment and his employment is governed by mutually accepted standards of the conditions of employment (including engagement on permanent basis); and
 - (ii) gets periodical increment in the pay, social security coverage and other welfare benefits in accordance with the law for the time being in force in such employment;

- - (h) õco-operative societyö means a society registered or deemed to be registered under the Co-operative Societies Act, 1912,
 (2 of 1912) or any other law for the time being in force relating to co-operative societies in any State;
 - (i) õcorporationö means any body corporate established by or under any Central Act, or State Act, but does not include a company or a co-operative society;
 - (i) ődirect taxö meansóó
 - (i) any tax chargeable under theóó
 - (A) Income-tax Act, 1961 (43 of 1961);
 - (B) Companies (Profits) Surtax Act, 1964 (7 of 1964);
 - (C) Agricultural income tax law; and
 - (ii) any other tax which, having regard to its nature or incidence, may be declared by the Central Government, by notification, to be a direct tax for the purposes of this Code;
 - (k) õemployeeö means, any person (other than an apprentice engaged under the Apprentices Act, 1961) (52 of 1961) employed on wages by an establishment to do any skilled, semi-skilled or unskilled, manual, operational, supervisory, managerial, administrative, technical or clerical work for hire or reward, whether the terms of employment be express or implied, and also includes a person declared to be an employee by the appropriate Government, but does not include any member of the Armed Forces of the Union;
 - (1) õemployerö means a person who employs, whether directly or through any person, or on his behalf or on behalf of any person, one or more employees in his establishment and where the establishment is carried on by any department of the Central Government or the State Government, the authority specified, by the head of such department, in this behalf or where no authority, is so specified the head of the department and in relation to an establishment carried

on by a local authority, the chief executive of that authority, and includes,ô

- (i) in relation to an establishment which is a factory, the occupier of the factory as defined in clause (n) of section 2 of the Factories Act, 1948 (63 of 1948) and, where a person has been named as a manager of the factory under clause (f) of sub-section (1) of section 7 of the said Act, the person so named;
- (ii) in relation to any other establishment, the person who, or the authority which, has ultimate control over the affairs of the establishment and where the said affairs is entrusted to a manager or managing director, such manager or managing director;
- (iii) contractor; and
- (iv) legal representative of a deceased employer;
- (m) õestablishmentö means any place where any industry, trade, business, manufacture or occupation is carried on and includes Government establishment;
- (n) õfactoryö means a factory as defined in clause (m) of section 2 of the Factories Act, 1948 (63 of 1948);
- (o) õGovernment establishmentö means any office or department of the Government or a local authority;
- (p) õIncome-tax Actö means the Income-tax Act, 1961 (43 of 1961);
- (q) õindustrial disputeö means,ô
 - (i) any dispute or difference between employers and employers, or between employers and workers or between workers and workers which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any person; and

- (ii) any dispute or difference between an individual worker and an employer connected with, or arising out of, discharge, dismissal, retrenchment or termination of such worker;
- (r) õInspector-cum-Facilitatorö means a person appointed by the appropriate Government under sub-section (1) of section 51;
- (s) õminimum wageö means the wage fixed under section 6;
- (t) õnotificationö means a notification published in the Gazette of India or in the Official Gazette of a State, as the case may be, and the expression õnotifyö with its grammatical variations and cognate expressions shall be construed accordingly;
- (u) õprescribedö means prescribed by rules made by the appropriate Government;
- (v) õsame work or work of a similar natureö means work in respect of which the skill, effort, experience and responsibility required are the same, when performed under similar working conditions by employees and the difference, if any, between the skill, effort, experience and responsibility required for employees of any gender, are not of practical importance in relation to the terms and conditions of employment;
- (w) õStateö includes a Union territory;
- (x) õTribunalö shall have the same meaning as assigned to it in clause (r) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947);
- (y) õwagesö means all remuneration whether by way of salary, allowances or otherwise, expressed in terms of money or capable of being so expressed which would, (42 of 2005) if the terms of employment, express or implied, were

fulfilled, be payable to a person employed in respect of his employment or of work done in such employment, and includes,ô

- (i) basic pay;
- (ii) dearness allowance; and
- (iii) retaining allowance, if any, but does not includeóó
 - (a) any bonus payable under any law for the time being in force, which does not form part of the remuneration payable under the terms of employment;
 - (b) the value of any house-accommodation, or of the supply of light, water, medical attendance or other amenity or of any service excluded from the computation of wages by a general or special order of the appropriate Government;
 - (c) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon;
 - (d) any conveyance allowance or the value of any travelling concession;
 - (e) any sum paid to the employed person to defray special expenses entailed on him by the nature of his employment;
 - (f) house rent allowance;
 - (g) remuneration payable under any award or settlement between the parties or order of a court or Tribunal;
 - (h) any overtime allowance;
 - (i) any commission payable to the employee;
 - (j) any gratuity payable on the termination of employment;

(k) any retrenchment compensation or other retirement benefit payable to the employee or any *ex gratia* payment made to him on the termination of employment:

Provided that, for calculating the wages under this clause, if payments made by the employer to the employee under clauses (a) to (i) exceeds one-half, or such other per cent, as may be notified by the Central Government, of the all remuneration calculated under this clause, the amount which exceeds such one-half, or the per cent so notified, shall be deemed as remuneration and shall be accordingly added in wages under this clause:

Provided further that for the purpose of equal wages to all genders and for the purpose of payment of wages, the emoluments specified in clauses (d), (f), (g) and (h) shall be taken for computation of wage.

Explanation.66Where an employee is given in lieu of the whole or part of the wages payable to him, any remuneration in kind by his employer, the value of such remuneration in kind which does not exceed fifteen per cent of the total wages payable to him, shall be deemed to form part of the wages of such employee;

- (z) öworkerö means any person (except an apprentice as defined under clause (aa) of section 2 of the Apprentices Act, 1961) (52 of 1961) employed in any industry to do an manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and includesô
 - (i) working journalists as defined in clause (f) of section 2 of the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955); and

- (ii) sales promotion employees as defined in clause
 (d) of section 2 of the Sales Promotion
 Employees (Conditions of Service) Act, 1976,
 (11 of 1976) and for the purposes of any proceeding under this Code in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched or otherwise terminated in connection with, or as a consequence of, that dispute, or whose dismissal, discharge or retrenchment has led to that dispute; but does not include any such personóó
 - (a) who is subject to the Air Force Act, 1950 (45 of 1950) or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957);
 - (b) who is employed in the police service or as an officer or other employee of a prison; or
 - (c) who is employed mainly in a managerial or administrative capacity; or
 - (d) who is employed in a supervisory capacity drawing wage of exceeding fifteen thousand rupees per month or an amount as may be notified by the Central Government from time to time.
- 3. Prohibition of discrimination on ground of gender.—(1) There shall be no discrimination in an establishment or any unit thereof among employees on the ground of gender in matters relating to wages by the same employer, in respect of the same work or work of a similar nature done by any employee.
 - (2) No employer shall,ô
 - (i) for the purposes of complying with the provisions of subsection (1), reduce the rate of wages of any employee; and

- - (ii) make any discrimination on the ground of sex while recruiting any employee for the same work or work of similar nature and in the conditions of employment, except where the employment of women in such work is prohibited or restricted by or under any law for the time being in force.
- 4. Decision as to disputes with regard to same or similar nature of work.—Where there is any dispute as to whether a work is of same or similar nature for the purposes of section 3, the dispute shall be decided by such authority as may be notified by the appropriate Government.

CHAPTER II

Minimum Wages

- 5. Payment of minimum rate of wages.—No employer shall pay to any employee wages less than the minimum rate of wages notified by the appropriate Government.
- 6. Fixation of minimum wages.—(1) Subject to the provisions of section 9, the appropriate Government shall fix the minimum rate of wages payable to employees in accordance with the provisions of section 8.
- (2) For the purposes of sub-section (1), the appropriate Government shall fix a minimum rate of wages óó
 - (a) for time work; or
 - (b) for piece work.
- (3) Where employees are employed on piece work, for the purpose of sub-section (1), the appropriate Government shall fix a minimum rate of wages for securing such employees a minimum rate of wages on a time work basis.
- (4) The minimum rate of wages on time work basis may be fixed in accordance with any one or more of the following wage periods, namely:66
 - (i) by the hour; or

- (ii) by the day; or
- (iii) by the month.
- (5) Where the rates of wages are fixed by the hour or by the day or by the month, the manner of calculating the wages shall be such, as may be prescribed.
- (6) For the purpose of fixation of minimum rate of wages under this section, the appropriate Government,ô
 - (a) shall primarily take into account the skill of workers required for working under the categories of unskilled, skilled, semi-skilled and highly-skilled or geographical area or both; and
 - (b) may, in addition to such minimum rate of wages for certain category of workers, take into account their arduousness of work like temperature or humidity normally difficult to bear, hazardous occupations or processes or underground work as may be prescribed by that Government; and
 - (c) the norms of such fixation of minimum rate of wages shall be such as may be prescribed.
- (7) The number of minimum rates of wages referred to in sub-section (6) may, as far as possible, be kept at minimum by the appropriate Government.
- 7. Components of minimum wages.—(1) Any minimum rate of wages fixed or revised by the appropriate Government under section 8 may consist ofóó
 - (a) a basic rate of wages and an allowance at a rate to be adjusted, at such intervals and in such manner as the appropriate Government may direct, to accord as nearly as practicable with the variation in the cost of living index number applicable to such workers (hereinafter referred to as öcost of living allowanceö); or
 - (b) a basic rate of wages with or without the cost of living allowance, and the cash value of the concessions in respect

- - of supplies of essential commodities at concession rates, where so authorised; or
 - (c) an all-inclusive rate allowing for the basic rate, the cost of living allowance and the cash value of the concessions, if any.
- (2) The cost of living allowance and the cash value of the concessions in respect of supplies of essential commodities at concession rate shall be computed by such authority, as the appropriate Government may by notification, appoint, at such intervals and in accordance with such directions as may be specified or given by the appropriate Government from time to time.
- 8. Procedure for fixing and revising minimum wages.—(1) In fixing minimum rates of wages for the first time or in revising minimum rates of wages under this Code, the appropriate Government shall eitherô
 - (a) appoint as many committees as it considers necessary to hold enquiries and recommend in respect of such fixation or revision, as the case may be; or
 - (b) by notification publish its proposals for the information of persons likely to be affected thereby and specify a date not less than two months from the date of the notification on which the proposals shall be taken into consideration.
- (2) Every committee appointed by the appropriate Government under clause (a) of sub-section (1) shall consist of personsóó
 - (a) representing employers;
 - (b) representing employees which shall be equal in number of the members specified in clause (a); and
 - (c) independent persons, not exceeding one-third of the total members of the committee.
- (3) After considering the recommendation of the committee appointed under clause (a) of sub-section (1) or, as the case may be, all representations received by it before the date specified in the notification under clause (b) of that sub-section, the appropriate

Government shall by notification fix, or as the case may be, revise the minimum rates of wages and unless such notification otherwise provides, it shall come into force on the expiry of three months from the date of its issue:

Provided that where the appropriate Government proposes to revise the minimum rates of wages in the manner specified in clause (b) of sub-section (1), it shall also consult concerned Advisory Board constituted under section 42.

- (4) The appropriate Government shall review or revise minimum rates of wages ordinarily at an interval not exceeding five years.
- 9. Power of Central Government to fix floor wage.—(1) The Central Government shall fix floor wage taking into account minimum living standards of a worker in such manner as may be prescribed:

Provided that different floor wage may be fixed for different geographical areas.

- (2) The minimum rates of wages fixed by the appropriate Government under section 6 shall not be less than the floor wage and if the minimum rates of wages fixed by the appropriate Government earlier is more than the floor wage, then, the appropriate Government shall not reduce such minimum rates of wages fixed by it earlier.
- (3) The Central Government may, before fixing the floor wage under sub-section (1), obtain the advice of the Central Advisory Board constituted under sub-section (1) of section 42 and consult State Governments in such manner as may be prescribed.
- 10. Wages of employee who works for less than normal working day.—If an employee whose minimum rate of wages has been fixed under this Code by the day works on any day on which he was employed for a period of less than the requisite number of hours constituting a normal working day, he shall, save as otherwise hereinafter provided, be entitled to receive wages in respect of work done on that day, as if he had worked for a full normal working day:

Provided that he shall not be entitled to receive wages for a full normal working day,ô

(i) in any case where his failure to work is caused by his unwillingness to work and not by the omission of the employer to provide him with work; and

- - (ii) in such other cases and circumstances, as may be prescribed.
- 11. Wages for two or more classes of work.—Where an employee does two or more classes of work to each of which a different minimum rate of wages is applicable, the employer shall pay to such employee in respect of the time respectively occupied in each such class of work, wages at not less than the minimum rate in force in respect of each such class.
- 12. Minimum time rate wages for piece work.—Where a person is employed on piece work for which minimum time rate and not a minimum piece rate has been fixed under this Code, the employer shall pay to such person wages at not less than the minimum time rate.
- 13. Fixing hours of work for normal working day.—(1) Where the minimum rates of wages have been fixed under this Code, the appropriate Government mayô
 - (a) fix the number of hours of work which shall constitute a normal working day inclusive of one or more specified intervals;
 - (b) provide for a day of rest in every period of seven days which shall be allowed to all employees or to any specified class of employees and for the payment of remuneration in respect of such days of rest;
 - (c) provide for payment for work on a day of rest at a rate not less than the overtime rate.
- (2) The provisions of sub-section (1) shall, in relation to the following classes of employees apply, only to such extent and subject to such conditions as may be prescribed, namely :ô
 - (a) employees engaged in any emergency which could not have been foreseen or prevented;
 - (b) employees engaged in work of the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working in the employment concerned;

- (c) employees whose employment is essentially intermittent;
- (d) employees engaged in any work which for technical reasons has to be completed before the duty is over; and
- (e) employees engaged in a work which could not be carried on except at times dependent on the irregular action of natural forces.
- (3) For the purposes of clause (c) of sub-section (2), employment of an employee is essentially intermittent when it is declared to be so by the appropriate Government on the ground that the daily hours of duty of the employee, or if there be no daily hours of duty as such for the employee, the hours of duty normally include periods of inaction during which the employee may be on duty but is not called upon to display either physical activity or sustained attention.
- 14. Wages for overtime work.—Where an employee whose minimum rate of wages has been fixed under this Code by the hour, by the day or by such a longer wage-period as may be prescribed, works on any day in excess of the number of hours constituting a normal working day, the employer shall pay him for every hour or for part of an hour so worked in excess, at the overtime rate which shall not be less than twice the normal rate of wages.

CHAPTER III

Payment of Wages

15. Mode of payment of wages.—All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the employee or by the electronic mode:

Provided that the appropriate Government may, by notification, specify the industrial or other establishment, the employer of which shall pay to every person employed in such industrial or other establishment, the wages only by cheque or by crediting the wages in his bank account.

16. Fixation of wage period.—The employer shall fix the wage period for employees either as daily or weekly or fortnightly or monthly

Provided that different wage periods may be fixed for different establishments.

- 17. Time limit for payment of wages.—(1) The employer shall pay or cause to be paid wages to the employees, engaged onô
 - (i) daily basis, at the end of the shift;
 - (ii) weekly basis, on the last working day of the week, that is to say, before the weekly holiday;
 - (iii) fortnightly basis, before the end of the second day after the end of the fortnight;
 - (iv) monthly basis, before the expiry of the seventh day of the succeeding month.
 - (2) Where an employee has beenô
 - (i) removed or dismissed from service; or
 - (ii) retrenched or has resigned from service, or became unemployed due to closure of the establishment, the wages payable to him shall be paid within two working days of his removal, dismissal, retrenchment or, as the case may be, his resignation.
- (3) Notwithstanding anything contained in sub-section (1) or sub-section (2), the appropriate Government may, provide any other time limit for payment of wages where it considers reasonable having regard to the circumstances under which the wages are to be paid.
- (4) Nothing contained in sub-section (1) or sub-section (2) shall affect any time limit for payment of wages provided in any other law for the time being in force.
- 18. Deductions which may be made from wages.—(1) Notwithstanding anything contained in any other law for the time being in force, there shall be no deductions from the wages of the employee, except those as are authorised under this Code.

- (a) any payment made by an employee to the employer or his agent shall be deemed to be a deduction from his wages;
- (b) any loss of wages to an employee, for a good and sufficient cause, resulting fromô
 - (i) the withholding of increment or promotion, including the stoppage of an increment; or
 - (ii) the reduction to a lower post or time-scale; or
 - (iii) the suspension,

shall not be deemed to be a deduction from wages in a case where the provisions made by the employer for such purposes are satisfying the requirements specified in the notification issued by the appropriate Government in this behalf.

- (2) Deductions from the wages of an employee shall be made in accordance with the provisions of this Code, and may be made only for the following purposes, namely :ô
 - (a) fines imposed on him;
 - (b) deductions for his absence from duty;
 - (c) deductions for damage to or loss of goods expressly entrusted to the employee for custody; or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default;
 - (d) deductions for house-accommodation supplied by the employer or by appropriate Government or any housing board set up under any law for the time being in force, whether the Government or such board is the employer or not, or any other authority engaged in the business of subsidising house-accommodation which may be specified in this behalf by the appropriate Government by notification;

- - (e) deductions for such amenities and services supplied by the employer as the appropriate Government or any officer specified by it in this behalf may, by general or special order, authorise and such deduction shall not exceed an amount equivalent to the value of such amenities and services.
- Explanation.—For the purposes of this clause, the expression õservicesö does not include the supply of tools and raw materials required for the purposes of employment;
 - (f) deductions for recovery ofô
 - (i) advances of whatever nature (including advances for travelling allowance or conveyance allowance), and the interest due in respect thereof, or for adjustment of overpayment of wages;
 - (ii) loans made from any fund constituted for the welfare of labour, as may be prescribed by the appropriate Government, and the interest due in respect thereof;
 - (g) deductions for recovery of loans granted for house-building or other purposes approved by the appropriate Government and the interest due in respect thereof;
 - (h) deductions of income-tax or any other statutory levy levied by the Central Government or State Government and payable by the employee or deductions required to be made by order of a court or other authority competent to make such order;
 - (i) deductions for subscription to, and for repayment of advances from any social security fund or scheme constituted by law including provident fund or pension fund or health insurance scheme or fund known by any other name;
 - (j) deductions for payment of co-operative society subject to such conditions as the appropriate Government may impose;

- (k) deductions made, with the written authorisation of the employee, for payment of the fees and contribution payable by him for the membership of any Trade Union registered under the Trade Unions Act, 1926 (16 of 1926);
- deductions for recovery of losses sustained by the railway administration on account of acceptance by the employee of counterfeit or base coins or mutilated or forged currency notes;
- (m) deductions for recovery of losses sustained by the railway administration on account of the failure of the employee to invoice, to bill, to collect or to account for the appropriate charges due to the railway administration whether in respect of fares, freight, demurrage, wharfage and cranage or in respect of sale of food in catering establishments or in respect of commodities in grain shops or otherwise;
- (n) deductions for recovery of losses sustained by the railway administration on account of any rebates or refunds incorrectly granted by the employee where such loss is directly attributable to his neglect or default;
- (o) deductions, made with the written authorisation of the employee, for contribution to the Prime Minister National Relief Fund or to such other fund as the Central Government may, by notification, specify.
- (3) Notwithstanding anything contained in this Code and subject to the provisions of any other law for the time being in force, the total amount of deductions which may be made under sub-section (2) in any wage period from the wages of an employee shall not exceed fifty per cent of such wages.
- (4) Where the total deductions authorised under sub-section (2) exceed fifty per cent of the wages, the excess may be recovered in such manner, as may be prescribed.
- (5) Where any deduction is made by the employer from the wages of an employee under this section but not deposited in the account of the trust or Government fund or any other account, as required under

- 19. *Fines*.—(1) No fine shall be imposed on any employee save in respect of those acts and omissions on his part as the employer, with the previous approval of the appropriate Government or of such authority as may be prescribed, may have specified by notice under sub-section (2).
- (2) A notice specifying such acts and omissions shall be exhibited in such manner as may be prescribed, on the premises in which the employment is carried on.
- (3) No fine shall be imposed on any employee until such employee has been given an opportunity of showing cause against the fine or otherwise than in accordance with such procedure as may be prescribed for the imposition of fines.
- (4) The total amount of fine which may be imposed in any one wage-period on any employee shall not exceed an amount equal to three per cent of the wages payable to him in respect of that wage-period.
- (5) No fine shall be imposed on any employee who is under the age of fifteen years.
- (6) No fine imposed on any employee shall be recovered from him by instalments or after the expiry of ninety days from the day on which it was imposed.
- (7) Every fine shall be deemed to have been imposed on the day of the act or omission in respect of which it was imposed.
- (8) All fines and all realisations thereof shall be recorded in a register to be kept in such manner and form as may be prescribed; and all such realisations shall be applied only to such purposes beneficial to the persons employed in the establishment as are approved by the prescribed authority.
- 20. Deductions for absence from duty.—(1) Deductions may be made under clause (b) of sub-section (2) of section 18 only on account of the absence of an employee from the place or places where by the terms of his employment, he is required to work, such absence being

for the whole or any part of the period during which he is so required to work.

(2) The amount of such deduction shall in no case bear to the wages payable to the employed person in respect of the wage-period for which the deduction is made in a larger proportion than the period for which he was absent bears to the total period within such wage-period during which by the terms of his employment he was required to work:

Provided that, subject to any rules made in this behalf by the appropriate Government, if ten or more employed persons acting in concert absent themselves without due notice (that is to say without giving the notice which is required under the terms of their contracts of employment) and without reasonable cause, such deduction from any such person may include such amount not exceeding his wages for eight days as may by any such terms be due to the employer in lieu of due notice.

- Explanation.—For the purposes of this section, an employee shall be deemed to be absent from the place where he is required to work if, although present in such place, he refuses, in pursuance of a stay-in strike or for any other cause which is not reasonable in the circumstances, to carry out his work.
- 21. Deductions for damage or loss.—(1) A deduction under clause (c) or clause (n) of sub-section (2) of section 18 for damage or loss shall not exceed the amount of the damage or loss caused to the employer by negligence or default of the employee.
- (2) A deduction shall not be made under sub-section (1) until the employee has been given an opportunity of showing cause against the deduction or otherwise than in accordance with such procedure as may be prescribed for the making of such deductions.
- (3) All such deductions and all realisations thereof shall be recorded in a register to be kept in such form as may be prescribed.
- 22. Deductions for services rendered.—A deduction under clause (d) or clause (e) of sub-section (2) of section 18 shall not be made from the wages of an employee, unless the house-accommodation amenity or service has been accepted by him as a term of employment

- 23. Deductions for recovery of advances.—Deductions under clause (f) of sub-section (2) of section 18 for recovery of advances given to an employee shall be subject to the following conditions, namely :óó
 - (a) recovery of advance of money given to an employee before the employment began shall be made from the first payment of wages to him in respect of a complete wage-period but no recovery shall be made of such advances given for travelling expenses;
 - (b) recovery of advance of money given to an employee after the employment began shall be subject to such conditions as may be prescribed;
 - (c) recovery of advances of wages to an employee not already earned shall be subject to such conditions as may be prescribed.
- 24. Deductions for recovery of loans.—Deductions under clause (g) of sub-section (2) of section 18 for recovery of loans granted to an employee, regulating the extent to which such loans may be granted and the rate of interest payable thereon, shall be such as may be prescribed.
- 25. Chapter not to apply to Government establishments.—The provisions of this Chapter shall not apply to the Government establishments unless the appropriate Government, by notification, applies such provisions to the Government establishments specified in the said notification.

CHAPTER IV

Payment of Bonus

26. Eligibility for bonus, etc.—(1) There shall be paid to every employee, drawing wages not exceeding such amount per mensem, as

determined by notification, by the appropriate Government, by his employer, who has put in at least thirty days work in an accounting year, an annual minimum bonus calculated at the rate of eight and one-third per cent. of the wages earned by the employee or one hundred rupees, whichever is higher whether or not the employer has any allocable surplus during the previous accounting year.

- (2) For the purpose of calculation of the bonus where the wages of the employee exceeds such amount per mensem, as determined by notification by the appropriate Government, the bonus payable to such employee under sub-sections (1) and (3) shall be calculated as if his wage were such amount, so determined by the appropriate Government or the minimum wage fixed by the appropriate Government, whichever is higher.
- (3) Where in respect of any accounting year referred to in sub-section (1), the allocable surplus exceeds the amount of minimum bonus payable to the employees under that subsection, the employer shall, in lieu of such minimum bonus, be bound to pay to every employee in respect of that accounting year, bonus which shall be an amount in proportion to the wages earned by the employee during the accounting year, subject to a maximum of twenty per cent of such wages.
- (4) In computing the allocable surplus under this section, the amount set on or the amount set off under the provisions of section 36 shall be taken into account in accordance with the provisions of that section.
- (5) Any demand for bonus in excess of the bonus referred to in sub-section (1), either on the basis of production or productivity in an accounting year for which the bonus is payable shall be determined by an agreement or settlement between the employer and the employees, subject to the condition that the total bonus including the annual minimum bonus referred to in sub-section (1) shall not exceed twenty per cent of the wages earned by the employee in the accounting year.
- (6) In the first five accounting years following the accounting year in which the employer sells the goods produced or manufactured by him or renders services, as the case may be, from such establishment, bonus shall be payable only in respect of the accounting year in which

- the employer derives profit from such establishment and such bonus shall be calculated in accordance with the provisions of this Code in relation to that year, but without applying the provisions of section 36.
- (7) For the sixth and seventh accounting years following the accounting year in which the employer sells the goods produced or manufactured by him or renders services, as the case may be, from such establishment, the provisions of section 36 shall apply subject to the following modifications, namely :ô
 - (i) for the sixth accounting year set on or set off, as the case may be, shall be made, in the manner as may be prescribed by the Central Government, taking into account the excess or deficiency, if any, as the case may be, of the allocable surplus set on or set off in respect of the fifth and sixth accounting years;
 - (ii) for the seventh accounting year set on or set off, as the case may be, shall be made, in the manner as may be prescribed by the Central Government, taking into account the excess or deficiency, if any, as the case may be, of the allocable surplus set on or set off in respect of the fifth, sixth and seventh accounting years.
- (8) From the eighth accounting year following the accounting year in which the employer sells the goods produced or manufactured by him or renders services, as the case may be, from such establishment, the provisions of section 36 shall apply in relation to such establishment as they apply in relation to any other establishment.
- Explanation 1.6–For the purpose of sub-section (6), an employer shall not be deemed to have derived profit in any accounting year, unlessóó
 - (a) he has made provision for depreciation of that year to which he is entitled under the Income-tax Act or, as the case may be, under the agricultural income tax law; and
 - (b) the arrears of such depreciation and losses incurred by him in respect of the establishment for the previous

profits.

- Explanation 2.66For the purposes of sub-sections (6), (7) and (8), sale of the goods produced or manufactured during the course of the trial running of any factory or of the prospecting stage of any mine or an oil-field shall not be taken into consideration and where any question arises with regard to such production or manufacture, the appropriate Government may, after giving the parties a reasonable opportunity of representing the case, decide upon the issue.
- (9) The provisions of sub-sections (6), (7) and (8) shall, so far as may be, apply to new departments or undertakings or branches set up by existing establishments.
- 27. Proportionate reduction in bonus in certain cases.—Where an employee has not worked for all the working days in an accounting year, the minimum bonus under sub-section (1) of section 26, if such bonus is higher than eight and one third per cent of the salary or wage of the days such employee has worked in that accounting year, shall be proportionately reduced.
- 28. Computation of number of working days.—For the purposes of section 27, an employee shall be deemed to have worked in an establishment in any accounting year also on the days on which,óó
 - (a) he has been laid off under an agreement or as permitted by standing orders under the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946) or under the Industrial Disputes Act, 1947 (14 of 1947) or under any other law applicable to the establishment;
 - (b) he has been on leave with salary or wages;
 - (c) he has been absent due to temporary disablement caused by accident arising out of and in the course of his employment; and
 - (d) the employee has been on maternity leave with salary or wages, during the accounting year.

- 29. Disqualification for bonus.—Notwithstanding anything contained in this Code, an employee shall be disqualified from receiving bonus under this Code, if he is dismissed from service for óó
 - (a) fraud; or
 - (b) riotous or violent behaviour while on the premises of the establishment; or
 - (c) theft, misappropriation or sabotage of any property of the establishment : or
 - (d) conviction for sexual harassment.
- 30. Establishments to include departments, undertakings and branches.—Where an establishment consists of different departments or undertakings or has branches, whether situated in the same place or in different places, all such departments or undertakings or branches shall be treated as parts of the same establishment for the purpose of computation of bonus under this Code:

Provided that where for any accounting year a separate balancesheet and profit and loss account are prepared and maintained in respect of any such department or undertaking or branch, then, such department or undertaking or branch shall be treated as a separate establishment for the purpose of computation of bonus, under this Code for that year, unless such department or undertaking or branch was, immediately before the commencement of that accounting year treated as part of the establishment for the purpose of computation of bonus.

- 31. Payment of bonus out of allocable surplus.—(1) The bonus shall be paid out of the allocable surplus which shall be an amount equal to sixty per cent in case of a banking company and sixty-seven per cent in case of other establishment, of the available surplus and the available surplus shall be the amount calculated in accordance with section 33.
 - (2) Audited accounts of companies shall not normally be questioned.
- (3) Where there is any dispute regarding the quantum of bonus, the authority notified by the appropriate Government having jurisdiction

may call upon the employer to produce the balance sheet before it, but the authority shall not disclose any information contained in the balance sheet unless agreed to by the employer.

- 32. Computation of gross profits.—The gross profits derived by an employer from an establishment in respect of the accounting year shall,66
 - (a) in the case of a banking company, be calculated in the manner as may be prescribed by the Central Government;
 - (b) in any other case, be calculated in the manner as may be prescribed by the Central Government.
- 33. Computation of available surplus.—The available surplus in respect of any accounting year shall be the gross profits for that year after deducting therefrom the sums referred to in section 34:

Provided that the available surplus in respect of the accounting year commencing on any day in a year after the commencement of this Code and in respect of every subsequent accounting year shall be the aggregate ofô

- (a) the gross profits for that accounting year after deducting therefrom the sums referred to in section 34; and
- (b) an amount equal to the difference betweenóó
 - (i) the direct tax, calculated in accordance with the provisions of section 35, in respect of an amount equal to the gross profits of the employer for the immediately preceding accounting year; and
 - (ii) the direct tax, calculated in accordance with provisions of section 35, in respect of an amount equal to the gross profits of the employer for such preceding accounting year after deducting there from the amount of bonus which the employer has paid or is liable to pay to his employees in accordance with the provisions of this Code for that year.

- 34. Sums deductible from gross profits.—The following sums shall be deducted from the gross profits as prior charges, namely :ô
 - (a) any amount by way of depreciation admissible in accordance with the provisions of sub-section (1) of section 32 of the Income-tax Act or in accordance with the provisions of the agricultural income-tax law, for the time being in force, as the case may be;
 - (b) subject to the provisions of section 35, any direct tax which the employer is liable to pay for the accounting year in respect of his income, profits and gains during that year;
 - (c) such further sums in respect of the employer as may be prescribed by the Central Government.
- 35. Calculation of direct tax payable by the employer.—For the purposes of this Code, any direct tax payable by the employer for any accounting year shall, subject to the following provisions, be calculated at the rates applicable to the income of the employer for that year, namely :ô
 - (a) in calculating such tax no account shall be taken of,óó
 - (i) any loss incurred by the employer in respect of any previous accounting year and carried forward under any law for the time being in force relating to direct taxes;
 - (ii) any arrears of depreciation which the employer is entitled to add to the amount of the allowance for depreciation for any succeeding accounting year or years under sub-section (2) of section 32 of the Income-tax Act;
 - (b) where the employer is a religious or a charitable institution to which the provisions of section 41 do not apply and the whole or any part of its income is exempt from the tax under the Income-tax Act, then, with respect to the income so exempted, such institution shall be treated as if it were a company in which the public are substantially interested within the meaning of that Act;

- (c) where the employer is an individual or a Hindu undivided family, the tax payable by such employer under the Incometax Act shall be calculated on the basis that the income derived by him from the establishment is his only income;
- (d) where the income of any employer includes any profits and gains derived from the export of any goods or merchandise out of India and any rebate on such income is allowed under any law for the time being in force relating to direct taxes, then, no account shall be taken of such rebate;
- (e) no account shall be taken of any rebate other than development rebate or investment allowance or development allowance or credit or relief or deduction (not hereinbefore mentioned in this section) in the payment of any direct tax allowed under any law for the time being in force relating to direct taxes or under the relevant annual Finance Act, for the development of any industry.
- 36. Set on and set off of allocable surplus.—(1) Where for any accounting year, the allocable surplus exceeds the amount of maximum bonus payable to the employees in the establishment under section 26, then, the excess shall, subject to a limit of twenty per cent of the total salary or wage of the employees employed in the establishment in that accounting year, be carried forward for being set on in the succeeding accounting year and so on up to and inclusive of the fourth accounting year to be utilised for the purpose of payment of bonus in such manner as may be prescribed by the Central Government.
- (2) Where for any accounting year, there is no available surplus or the allocable surplus in respect of that year falls short of the amount of minimum bonus payable to the employees in the establishment under section 26, and there is no amount or sufficient amount carried forward and set on under sub-section (1) which could be utilised for the purpose of payment of the minimum bonus, then, such minimum amount or the deficiency, as the case may be, shall be carried forward for being set off in the succeeding accounting year and so on up to and inclusive of the fourth accounting year in such manner as may be prescribed by the Central Government.
- (3) The principle of set on and set off as may be provided in rules by the Central Government under this Code shall apply to all

- (4) Where in any accounting year any amount has been carried forward and set on or set off under this section, then, in calculating bonus for the succeeding accounting year, the amount of set on or set off carried forward from the earliest accounting year shall first be taken into account.
- 37. Adjustment of customary or interim bonus against bonus payable under this Code.—Where in any accounting year,ô
 - (a) an employer has paid any puja bonus or other customary bonus to employee; or
 - (b) an employer has paid a part of the bonus payable under this Code to an employee before the date on which such bonus becomes payable, then, the employer shall be entitled to deduct the amount of bonus so paid from the amount of bonus payable by him to the employee under this Code in respect of that accounting year and the employee shall be entitled to receive only the balance.
- 38. Deduction of certain amounts from bonus payable.—Where in any accounting year, an employee is found guilty of misconduct causing financial loss to the employer, then, it shall be lawful for the employer to deduct the amount of loss from the amount of bonus payable by him to the employee under this Code in respect of that accounting year only and the employee shall be entitled to receive the balance, if any.
- 39. Time limit for payment of bonus.—(1) All amounts payable to an employee by way of bonus under this Code shall be paid by crediting it in the bank account of the employee by his employer within a period of eight months from the close of the accounting year:

Provided that the appropriate Government or such authority as the appropriate Government may specify in this behalf may, upon an application made to it by the employer and for sufficient reasons, by order, extend the said period of eight months to such further period or periods as it thinks fit; so, however, that the total period so extended shall not in any case exceed two years. (2) Notwithstanding anything contained in sub-section (1), where there is a dispute regarding payment of bonus pending before any authority, such bonus shall be paid, within a period of one month from the date on which the award becomes enforceable or the settlement comes into operation, in respect of such dispute:

Provided that if, there is a dispute for payment at the higher rate, the employer shall pay eight and one-third per cent of the wages earned by the employee as per the provisions of this Code within a period of eight months from the close of the accounting year.

- 40. Application of this Chapter to establishments in public sector in certain cases.—(1) If in any accounting year an establishment in public sector sells any goods produced or manufactured by it or renders any services, in competition with an establishment in private sector, and the income from such sale or services or both, is not less than twenty per cent of the gross income of the establishment in public sector for that year, then, the provisions of this Chapter shall apply in relation to such establishment in public sector as they apply in relation to a like establishment in private sector.
- (2) Save as otherwise provided in sub-section (1), nothing in this Chapter shall apply to the employees employed by any establishment in public sector.
- 41. *Non-applicability of this Chapter.*—(1) Nothing in this Chapter shall apply toóó
 - (a) employees employed by the Life Insurance Corporation of India;
 - (b) seamen as defined in clause (42) of section 3 of the Merchant Shipping Act, 1958 (44 of 1958);
 - (c) employees registered or listed under any scheme made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948) and employed by registered or listed employers;
 - (d) employees employed by an establishment under the authority of any department of the Central Government or a State Government or a local authority;

- (e) employees employed byóó
 - (i) the Indian Red Cross Society or any other institution of a like nature including its branches;
 - (ii) universities and other educational institutions;
 - (iii) institutions including hospitals, chamber of commerce and social welfare institutions established not for purposes of profit;
- (f) mployees employed by the Reserve Bank of India;
- (g) employees employed by public sector financial institution other than a banking company, which the Central Government may, by notification, specify, having regard toô
 - (i) its capital structure;
 - (ii) its objectives and the nature of its activities;
 - (iii) the nature and extent of financial assistance or any concession given to it by the Government; and
 - (iv) any other relevant factor;
- (h) employees employed by inland water transport establishments operating on routes passing through any other country; and
- (i) employees of any other establishment which the appropriate Government may, by notification, exempt having regard to the overall benefits under any other scheme of profit sharing available in such establishments to the employees.
- (2) Subject to the provisions of sub-section (1) and notwithstanding anything contained in any other provisions of this Chapter, the provisions of this Chapter shall apply to such establishment in which twenty or more persons are employed or were employed on any day during an accounting year.

CHAPTER V

Advisory Board

- 42. Central Advisory Board and State Advisory Boards.—(1) The Central Government shall constitute the Central Advisory Board which shall consist of persons to be nominated by the Central Governmentô
 - (a) representing employers;
 - (b) representing employees which shall be equal in number of the members specified in clause (a);
 - (c) independent persons, not exceeding one-third of the total members of the Board; and
 - (d) five representatives of such State Governments as may be nominated by the Central Government.
- (2) One-third of the members referred to in sub-section (1) shall be women and a member specified in clause (c) of the said sub-section shall be appointed by the Central Government as the Chairperson of the Board.
- (3) The Central Advisory Board constituted under sub-section (1) shall from time to time advise the Central Government on reference of issues relating toóó
 - (a) fixation or revision of minimum wages and other connected matters;
 - (b) providing increasing employment opportunities for women;
 - (c) the extent to which women may be employed in such establishments or employments as the Central Government may, by notification, specify in this behalf; and
 - (d) any other matter relating to this Code, and on such advice, the Central Government may issue directions to the State Government as it deems fit in respect of matters relating to issues referred to the Board.

- (4) Every State Government shall constitute a State Advisory Board for advising the State Governmentô
 - (a) in fixation or revision of minimum wages and other connected matters;
 - (b) for the purpose of providing increasing employment opportunities for women;
 - (c) with regard to the extent to which women may be employed in such establishments or employments as the State Government may, by notification, specify in this behalf; and
 - (d) in any other matter relating to this Code, which the State Government may refer from time to time to the Board.
- (5) The State Advisory Board may constitute one or more committees or sub-committees to look into issues pertaining to matters specified in clauses (a) to (d) of sub-section (4).
- (6) The State Advisory Board and each of the committees and sub-committees thereof shall consist of personsóó
 - (a) representing employers;
 - (b) representing employees which shall be equal in number of the members specified in clause (a); and
 - (c) independent persons, not exceeding one-third of the total members of the Board or committee or sub-committee, as the case may be.
- (7) One-third of the members referred to in sub-section (6) shall be women and one among the members specified in clause (c) of the said sub-section shall beóó
 - (a) appointed by the State Government as the Chairperson of the Board;
 - (b) appointed by the State Advisory Board as the Chairperson of the committee or sub-committee, as the case may be.

- (8) In tendering its advice in the matters specified in clause (b) or clause (c) of sub-section (4), the State Advisory Board shall have regard to the number of women employed in the concerned establishment, or employment, the nature of work, hours of work, suitability of women for employment, as the case may be, the need for providing increasing employment opportunities for women, including part time employment, and such other relevant factors as the Board may think fit.
- (9) The State Government may, after considering the advice tendered to it by the State Advisory Board and after inviting and considering the representations from establishment or employees or any other person which that Government thinks fit, issue such direction as may be deemed necessary.
- (10) The Central Advisory Board referred to in sub-section (1) and the State Advisory Board referred to in sub-section (4) shall respectively regulate their own procedure including that of the committees and sub-committees constituted by the State Advisory Board, in such manner as may be prescribed.
- (11) The terms of office of the Central Advisory Board referred to in sub-section (1) and the State Advisory Board referred to in sub-section (4) including that of the committees and sub-committees constituted by the State Advisory Board, shall be such as may be prescribed.

CHAPTER VI

Payment of Dues, Claims and Audit

43. Responsibility for payment of various dues.—Every employer shall pay all amounts required to be paid under this Code to every employee employed by him:

Provided that where such employer fails to make such payment in accordance with this Code, then, the company or firm or association or any other person who is the proprietor of the establishment, in which the employee is employed, shall be responsible for such payment.

Explanation.—óFor the purposes of this section the expression õfirmö shall have the same meaning as assigned to it in the Indian Partnership Act, 1932 (9 of 1932).

- 44. Payment of various undisbursed dues in case of death of employee.—(1) Subject to the other provisions of this Code, all amounts payable to an employee under this Code shall, if such amounts could not or cannot be paid on account of his death before payment or on account of his whereabouts not being known,ô
 - (a) be paid to the person nominated by him in this behalf in accordance with the rules made under this Code; or
 - (b) where no such nomination has been made or where for any reasons such amounts cannot be paid to the person so nominated, be deposited with the such authority, as may be prescribed, who shall deal with the amounts so deposited in the manner as may be prescribed.
- (2) Where in accordance with the provisions of sub-section (1), all amounts payable to an employee under this Codeô
 - (a) are paid by the employer to the person nominated by the employee; or
 - (b) are deposited by the employer with the authority referred to in clause (b) of sub-section (1), then, the employer shall be discharged of his liability to pay those amounts.
- 45. Claims under Code and procedure thereof.—(1) The appropriate Government may, by notification, appoint one or more authorities, not below the rank of a Gazetted Officer, to hear and determine the claims which arises under the provisions of this Code.
- (2) The authority appointed under sub-section (1), while deciding the claim under that sub-section, may order, having regard to the circumstances under which the claim arises, the payment of compensation in addition to the claim determined, which may extend to ten times of the claim determined and endeavour shall be made by the authority to decide the claim within a period of three months.
- (3) If an employer fails to pay the claim determined and compensation ordered to be paid under sub-section (2), the authority shall issue a certificate of recovery to the Collector or District

Magistrate of the district where the establishment is located who shall recover the same as arrears of land revenue and remit the same to the authority for payment to the concerned employee.

- (4) Any application before the authority for claim referred to in sub-section (1) may be filed by,óó
 - (a) the employee concerned; or
 - (b) any Trade Union registered under the Trade Unions Act, 1926 (16 of 1926) of which the employee is a member; or
 - (c) the Inspector-cum-Facilitator.
- (5) Subject to such rules as may be made, a single application may be filed under this section on behalf or in respect of any number of employees employed in an establishment.
- (6) The application under sub-section (4) may be filed within a period of three years from the date on which claims referred to in sub-section (1) arises:

Provided that the authority referred to in sub-section (1) may, entertain the application after three years on sufficient cause being shown by the applicant for such delay.

- (7) The authority appointed under sub-section (1) and the appellate authority appointed under sub-section (1) of section 49, shall have all the powers of a civil court under the Code of Civil Procedure, 1908 (5 of 1908) for the purpose of taking evidence and of enforcing the attendance of witnesses and compelling the production of documents, and every such authority or appellate authority shall be deemed to be a civil court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).
- 46. Reference of disputes under this code.—Notwithstanding anything contained in this Code, where any dispute arises between an employer and his employees with respect toô
 - (a) fixation of bonus or eligibility for payment of bonus under the provisions of this Code; or

- - (b) the application of this Code, in respect of bonus, to an establishment in public sector, then, such dispute shall be deemed to be an industrial dispute within the meaning of the Industrial Disputes Act, 1947 (14 of 1947).
- 47. Presumption about accuracy of balance sheet and profit and loss account of corporations and companies.—(1) Where, during the course of proceedings beforeô
 - (a) the authority under section 45; or
 - (b) the appellate authority under section 49; or
 - (c) a Tribunal; or
 - (d) an arbitrator referred to in clause (aa) of section 2 of the Industrial Dispute Act, 1947 (14 of 1947),

in respect of any dispute of the nature specified in sections 45 and 46 or in respect of an appeal under section 49, the balance sheet and the profit and loss account of an employer, being a corporation or a company (other than a banking company), duly audited by the Comptroller and Auditor General of India or by auditors duly qualified to act as auditors of companies under section 141 of the Companies Act, 2013 (18 of 2013) are produced before it, then, the said authority, appellate authority, Tribunal or arbitrator, as the case may be, may presume the statements and particulars contained in such balance sheet and profit and loss account to be accurate and it shall not be necessary for the corporation or the company to prove the accuracy of such statements and particulars by the filing of an affidavit or by any other mode:

Provided that where the said authority, appellate authority, Tribunal or arbitrator, as the case may be, is satisfied that the statements and particulars contained in the balance sheet or the profit and loss account of the corporation or the company are not accurate, it may take such steps as it thinks necessary to find out the accuracy of such statements and particulars.

(2) When an application is made to the authority, appellate authority, Tribunal or arbitrator, as the case may be, referred to in

sub-section (1), by any Trade Union being a party to the dispute or as the case may be, an appeal, and where there is no Trade Union, by the employees being a party to the dispute, or as the case may be, an appeal, requiring any clarification relating to any item in the balance sheet or the profit and loss account, then such authority, appellate authority, Tribunal or arbitrator, may, after satisfying itself that such clarification is necessary, by order, direct the corporation or, as the case may be, the company, to furnish to the Trade Union or the employees such clarification within such time as may be specified in the direction and the corporation or, as the case may be, the company, shall comply with such direction.

- 48. Audit of account of employers not being coporations or companies.—(1) Where any claim, dispute or appeal with respect to bonus payable under this Code between an employer, not being a corporation or a company, and his employees is pending before any authority, appellate authority, Tribunal or arbitrator, as the case may be, as referred to in sub-section (1) of section 47 and the accounts of such employer audited by any auditor duly qualified to act as auditor of companies under the provisions of section 141 of the Companies Act, 2013 (18 of 2013) are produced before such authority, appellate authority, Tribunal or arbitrator, then the provisions of section 47 shall, so far as may be, apply to the accounts so audited.
- (2) When the authority, appellate authority, Tribunal or arbitrator, referred to in sub-section (1), as the case may be, finds that the accounts of such employer have not been audited by any such auditor and it is of opinion that an audit of the accounts of such employer is necessary for deciding the question referred to it, then, such authority, appellate authority, Tribunal or arbitrator, may, by order, direct the employer to get his accounts audited within such time as may be specified in the direction or within such further time as it may allow by such auditor or auditors as it thinks fit and thereupon the employer shall comply with such direction.
- (3) Where an employer fails to get the accounts audited under sub-section (2), the authority, appellate authority, Tribunal or arbitrator, referred to in sub-section (1), as the case may be, may, without prejudice to the provisions of section 54, get the accounts audited by such auditor or auditors as it thinks fit.

- (4) When the accounts are audited under sub-section (2) or sub-section (3), the provisions of section 47 shall, so far as may be, apply to the accounts so audited.
- (5) The expenses of, and incidental to, any audit under subsection (3) including the remuneration of the auditor or auditors shall be determined by the authority, appellate authority, Tribunal or arbitrator, referred to in sub-section (1), as the case may be, and paid by the employer and in default of such payment shall be recoverable by the authority referred to in sub-section (3) of section 45 from the employer in the manner provided in that sub-section.
- 49. Appeal.—(1) Any person aggrieved by an order passed by the authority under sub-section (2) of section 45 may prefer an appeal, to the appellate authority having jurisdiction appointed by the appropriate Government, by notification, for such purpose, within ninety days from the date of such order, in such form and manner as may be prescribed:

Provided that the appellate authority may entertain the appeal after ninety days if it satisfied that the delay in filing the appeal has occurred due to sufficient cause.

- (2) The appellate authority shall be appointed from the officers of the appropriate Government holding the post at least one rank higher than the authority referred under sub-section (1) of section 45.
- (3) The appellate authority shall, after hearing the parties in the appeal, dispose of the appeal and endeavour shall be made to dispose of the appeal within a period of three months.
- (4) The outstanding dues under the orders of the appellate authority shall be recovered by the authority referred to in section 45, by issuing the certificate of recovery in the manner specified in subsection (3) of that section.
- 50. Records, returns and notices.—(1) Every employer of an establishment to which this Code applies shall maintain a register containing the details with regard to persons employed, muster roll, wages and such other details in such manner as may be prescribed.

- (2) Every employer shall display a notice on the notice board at a prominent place of the establishment containing the abstract of this Code, category-wise wage rates of employees, wage period, day or date and time of payment of wages, and the name and address of the Inspector-cum-Facilitator having jurisdiction.
- (3) Every employer shall issue wage slips to the employees in such form and manner as may be prescribed.
- (4) The provisions of sub-sections (1) to (3) shall not apply in respect of the employer to the extent he employs not more than five persons for agriculture or domestic purpose :

Provided that such employer, when demanded, shall produce before the Inspector-cum-Facilitator, the reasonable proof of the payment of wages to the persons so employed.

Explanation.ô For the purposes of this sub-section, the expression õdomestic purposeö means the purpose exclusively relating to the home or family affairs of the employer and does not include any affair relating to any establishment, industry, trade, business, manufacture or occupation.

CHAPTER VII

Inspector-cum-Facilitator

- 51. Appointment of Inspector-cum-Facilitators and their powers.—(1) The appropriate Government may, by notification, appoint Inspector-cum-Facilitators for the purposes of this Code who shall exercise the powers conferred on them under sub-section (4) throughout the State or such geographical limits assigned in relation to one or more establishments situated in such State or geographical limits or in one or more establishments, irrespective of geographical limits, assigned to him by the appropriate Government, as the case may be.
- (2) The appropriate Government may, by notification, lay down an inspection scheme which may also provide for generation of a web-based inspection and calling of information relating to the inspection under this Code electronically.

- (3) Without prejudice to the provisions of sub-section (2), the appropriate Government may, by notification, confer such jurisdiction of randomised selection of inspection for the purposes of this Code to the Inspector-cum-Facilitator as may be specified in such notification.
- (4) Every Inspector-cum-Facilitator appointed under sub-section (1) shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).
 - (5) The Inspector-cum-Facilitator mayóó
 - (a) advice to employers and workers relating to compliance with the provisions of this Code;
 - (b) inspect the establishments as assigned to him by the appropriate Government, subject to the instructions or guidelines issued by the appropriate Government from time to time.
- (6) Subject to the provisions of sub-section (4), the Inspector-cum-Facilitator may,ô
 - (a) examine any person who is found in any premises of the establishment, whom the Inspector-cum-Facilitator has reasonable cause to believe, is a worker of the establishment:
 - (b) require any person to give any information, which is in his power to give with respect to the names and addresses of the persons;
 - (c) search, seize or take copies of such register, record of wages or notices or portions thereof as the Inspector-cum-Facilitator may consider relevant in respect of an offence under this Code and which the Inspector-cum-Facilitator has reason to believe has been committed by the employer;
 - (d) bring to the notice of the appropriate Government defects or abuses not covered by any law for the time being in force; and
 - (e) exercise such other powers as may be prescribed.

- (7) Any person required to produce any document or to give any information required by a Inspector-cum-Facilitator under sub-section (5) shall be deemed to be legally bound to do so within the meaning of section 175 and section 176 of the Indian Penal Code (45 of 1860).
- (8) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974) shall, so far as may be, apply to the search or seizure under sub-section (5) as they apply to the search or seizure made under the authority of a warrant issued under section 94 of the said Code.

CHAPTER VIII

Offences and Penalties

- 52. Cognizance of offences.—(1) No court shall take cognizance of any offence punishable under this Code, save on a complaint made by or under the authority of the appropriate Government or an officer authorised in this behalf, or by an employee or a registered Trade Union registered under the Trade Unions Act, 1926 (16 of 1926) or an Inspector-cum-Facilitator.
- (2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) no court inferior to that of a Metropolitan Magistrate or Judicial Magistrate of the First Class shall try the offences under this Code.
- 53. Power of officers of appropriate Government to impose penalty in certain cases.—(1) Notwithstanding anything contained in section 52, for the purpose of imposing penalty under clauses (a) and (c) of sub-section (1) and sub-section (2) of section 54 and sub-section (7) of section 56, the appropriate Government may appoint any officer not below the rank of Under Secretary to the Government of India or an officer of equivalent rank in the State Government, as the case may be, for holding enquiry in such manner, as may be prescribed by the Central Government.
- (2) While holding the enquiry, the officer referred to in subsection (1) shall have the power to summon and enforce attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of such officer, may be useful for or relevant to the subject matter of the enquiry and if, on such enquiry, he is satisfied that the person has

54. Penalties for offences.—(1) Any employer whoô

- (a) pays to any employee less than the amount due to such employee under the provisions of this Code shall be punishable with fine which may extend to fifty thousand rupees;
- (b) having been convicted of an offence under clause (a) is again found guilty of similar offence under this clause, within five years from the date of the commission of the first or subsequent offence, he shall, on the second and the subsequent commission of the offence, be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one lakh rupees, or with both:
- (c) contravenes any other provision of this Code or any rule made or order made or issued thereunder shall be punishable with fine which may extend to twenty thousand rupees;
- (d) having been convicted of an offence under clause (c) is again found guilty of similar offence under this clause, within five years from the date of the commission of the first or subsequent offence, he shall, on the second and the subsequent commission of the offence under this clause, be punishable with imprisonment for a term which may extend to one month or with fine which may extend to forty thousand rupees, or with both.
- (2) Notwithstanding anything contained in sub-section (1), for the offences of non-maintenance or improper maintenance of records in the establishment, the employer shall be punishable with fine which may extend to ten thousand rupees.
- (3) Notwithstanding anything contained in clause (c) of subsection (1) or sub-section (2), the Inspector-cum-Facilitator shall, before initiation of prosecution proceeding for the offences under the said clause or sub-section, give an opportunity to the employer to comply

with the provisions of this Code by way of a written direction, which shall lay down a time period for such compliance, and, if the employer complies with the direction within such period, the Inspector-cum-Facilitator shall not initiate such prosecution proceeding and, no such opportunity shall be accorded to an employer, if the violation of the same nature of the provisions under this Code is repeated within a period of five years from the date on which such first violation was committed and in such case the prosecution shall be initiated in accordance with the provisions of this Code.

55. Offences by companies.ô (1) If the person committing an offence under this Code is a company, every person who, at the time the offence was committed was in charge of, and was responsible to the company for the conduct of business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Code has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,óó

- (a) õcompanyö means anybody corporate and includesô
 - (i) a firm; or
 - (ii) a limited liability partnership registered under the Limited Liability Partnership Act, 2008 (6 of 2009);
 - (iii) other association of individuals; and
- (b) õdirectorö in relation to a firm means a partner in the firm.

- 56. Composition of offences.—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) any offence punishable under this Code, not being an offence punishable with imprisonment only, or with imprisonment and also with fine, may, on an application of the accused person, either before or after the institution of any prosecution, be compounded by a Gazetted Officer, as the appropriate Government may, by notification, specify, for a sum of fifty per cent of the maximum fine provided for such offence, in the manner as may be prescribed.
- (2) Nothing contained in sub-section (1) shall apply to an offence committed by a person for the second time or thereafter within a period of five years from the dateô (i) of commission of a similar offence which was earlier compounded; (ii) of commission of similar offence for which such person was earlier convicted.
- (3) Every officer referred to in sub-section (1) shall exercise the powers to compound an offence, subject to the direction, control and supervision of the appropriate Government.
- (4) Every application for the compounding of an offence shall be made in such manner as may be prescribed.
- (5) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.
- (6) Where the composition of any offence is made after the institution of any prosecution, such composition shall be brought by the officer referred to in sub-section (1) in writing, to the notice of the court in which the prosecution is pending and on such notice of the composition of the offence being given, the person against whom the offence is so compounded shall be discharged.
- (7) Any person who fails to comply with an order made by the officer referred to in sub-section (1), shall be punishable with a sum equivalent to twenty per cent of the maximum fine provided for the offence, in addition to such fine.
- (8) No offence punishable under the provisions of this Code shall be compounded except under and in accordance with the provisions of this section.

CHAPTER IX

Miscellaneous

- 57. Bar of suits.—No court shall entertain any suit for the recovery of minimum wages, any deduction from wages, discrimination in wages and payment of bonus, in so far as the sum so claimedô
 - (a) forms the subject of claims under section 45;
 - (b) has formed the subject of a direction under this Code;
 - (c) has been adjudged in any proceeding under this Code;
 - (d) could have been recovered under this Code.
- 58. Protection of action taken in good faith.—No suit, prosecution or any other legal proceeding shall lie against the appropriate Government or any officer of that Government for anything which is in good faith done or intended to be done under this Code.
- 59. Burden of proof.—Where a claim has been filed on account of non-payment of remuneration or bonus or less payment of wages or bonus or on account of making deductions not authorised by this Code from the wages of an employee, the burden to prove that the said dues have been paid shall be on the employer.
- 60. Contracting out.—Any contract or agreement whereby an employee relinquishes the right to any amount or the right to bonus due to him under this Code shall be null and void in so far as it purports to remove or reduce the liability of any person to pay such amount under this Code.
- 61. Effect of laws agreements, etc. inconsistent with this Code.—
 The provisions of this Code shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in the terms of any award, agreement, settlement or contract of service.
- 62. Delegation of powers.—The appropriate Government may, by notification, direct that any power exercisable by it under this Code

- (a) where the appropriate Government is the Central Government, by such officer or authority subordinate to the Central Government or by the State Government or by such officer or authority subordinate to the State Government, as may be specified in the notification;
- (b) where the appropriate Government is a State Government, by such officer or authority subordinate to the State Government as may be specified in the notification.
- 63. Exemption of employer from liability in certain cases.— Where an employer is charged with an offence under this Code, he shall be entitled upon complaint duly made by him, to have any other person whom he charges as the actual offender, brought before the court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the employer proves to the satisfaction of the courtô
 - (a) that he has used due diligence to enforce the execution of this Code; and
 - (b) that the said other person committed the offence in question without his knowledge, consent or connivance, that other person shall be convicted of the offence and shall be liable to the like punishment as if he were the employer and the employer shall be discharged from any liability under this Code in respect of such offence :

Provided that in seeking to prove, as aforesaid, the employer may be examined on oath, and the evidence of the employer or his witness, if any, shall be subject to cross-examination by or on behalf of the person whom the employer charges as the actual offender and by the prosecution.

64. Protection against attachments of assets of employer with Government.—Any amount deposited with the appropriate Government by an employer to secure the due performance of a contract with that Government and any other amount due to such employer from that Government in respect of such contract shall not be liable to attachment under any decree or order of any court in respect of any debt or

liability incurred by the employer other than any debt or liability incurred by the employer towards any employee employed in connection with the contract aforesaid.

- 65. Power of Central Government to give directions.—The Central Government may, for carrying into execution of the provisions of this Code in the State give directions to the State Government, and the State Government shall abide by such directions.
- 66. Saving.—Nothing contained in this Code shall be deemed to affect the provisions of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (42 of 2005) and the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948) or of any scheme made thereunder.
- 67. Power of appropriate Government to make rules.—(1) The appropriate Government may, subject to the condition of previous publication, make rules for carrying out the provisions of this Code.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :óó
 - (a) the manner of calculating the wages under sub-section (4) of section 6;
 - (b) the arduousness of work to be taken into account in addition to minimum rate of wages for certain category of workers under clause (b) of sub-section (6) of section 6;
 - (c) the norms under clause (c) of sub-section (6) of section 6;
 - (d) the cases and circumstances in which an employee employed for a period of less than the requisite number of hours shall not be entitled to receive wages for a full normal working day, under section 10;
 - (e) the extent and conditions, which shall apply in relation to certain classes of employees under sub-section (2) of section 13:

- - (f) the longer wage period for fixation of minimum rate of wages as referred to in section 14;
 - (g) the manner of deducting loans made from any fund constituted for the welfare of labour under sub-clause (ii) of clause (f) of sub-section (2) of section 18;
 - (h) the manner of recovery of excess of amount under subsection (4) of section 18;
 - (i) the authority to provide approval for imposition of fine under sub-section (1) of section 19;
 - (j) the manner of exhibition of the acts and omissions to be specified in the notice under sub-section (2) of section 19;
 - (k) the procedure for the imposition of fines under sub-section (3) of section 19;
 - (1) the form of the register to record all fines and all realisations thereof under sub-section (8) of section 19;
 - (m) the procedure for making deductions for absence from duty under sub-section (2) of section 20;
 - (n) the procedure for making deductions for damage or loss under sub-section (2) of section 21;
 - (o) the form of the register to record all deductions and all realisations thereof under sub-section (3) of section 21;
 - (p) conditions for recovery of advance of money given to an employee after the employment began under clause (b) of section 23;
 - (q) conditions for recovery of advances of wages to an employee not already earned under clause (c) of section 23;
 - (r) deductions for recovery of loans and the rate of interest payable thereon under section 24;

- (s) the manner of regulating the procedure by the Central Advisory Board and the State Advisory Board, including that of the committees and sub-committees constituted by the State Advisory Board, under sub-section (10) of section 42;
- (t) the terms of office of members of the Central Advisory Board, the State Advisory Board, including that of the committees and sub-committees constituted by the State Advisory Board, under sub-section (11) of section 42;
- (u) the authority and manner of depositing with such authority, various undisbursed dues under clause (b) of sub-section(1) of section 44;
- (v) the form of single application in respect of a number of employees under sub-section (5) of section 45;
- (w) the form for making an appeal to the appellate authority under sub-section (1) of section 49;
- (x) the manner of maintenance of a register by the employer under sub-section (1) of section 50;
- (y) the form and manner of issuing wage slips under subsection (3) of section 50;
- (z) the other powers to be exercised by the Inspector-cum-Facilitator under sub-section (5) of section 51;
- (za) the manner of imposing fine under sub-section (1) of section 56;
- (zb) the manner of composition of offence by a Gazetted Officer specified under sub-section (4) of section 56;
- (zc) any other matter which is required to be, or may be, prescribed under the provisions of this Code.
- (3) The Central Government may, subject to the condition of previous publication, make rules for,ô
 - (a) the manner of fixing floor wage under sub-section (1) of section 9;

- - (b) the manner of consultation with State Government under sub-section (3) of section 9;
 - (c) the manner of making set on or set off for the sixth accounting year under clause (i) of sub-section (7) of section 26;
 - (d) the manner of making set on or set off for the seventh accounting year under clause (ii) of sub-section (7) of section 26;
 - (e) the manner of calculating gross profit under clauses (a) and (b) of section 32;
 - (f) such further sums in respect of employer under clause (c) of section 34;
 - (g) the manner of utilising the excess of allocable surplus to be carried forward for being set on in the succeeding accounting year and so on up to and inclusive of the fourth accounting year under sub-section (1) of section 36;
 - (h) the manner of utilising the minimum amount or the deficiency to be carried forward for being set off in the succeeding accounting year and so on up to and inclusive of the fourth accounting year under sub-section (2) of section 36; and
 - (i) the manner of holding an enquiry under sub-section (1) of section 53.
- (4) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions as aforesaid, both Houses agree in making any modification in the rule or both Houses agree that rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or amendment shall be without prejudice to the validity of anything previously done under that rule.

- (5) Every rule made by the State Government under this section shall, as soon as possible after it is made, be laid before the State Legislature.
- 68. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Code, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Code, as may appear to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of three years from the commencement of this Code.

- (2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.
- 69. Repeal and savings.—(1) The Payment of Wages Act, 1936 (4 of 1936) the Minimum Wages Act, 1948 (11 of 1948) the Payment of Bonus Act, 1965 (21 of 1965) and the Equal Remuneration Act, 1976 (25 of 1976) are hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the enactments so repealed including any notification, nomination, appointment, order or direction made thereunder or any amount of wages provided in any provision of such enactments for any purpose shall be deemed to have been done or taken or provided for such purpose under the corresponding provisions of this Code and shall be in force to the extent they are not contrary to the provisions of this Code till they are repealed under the corresponding provisions of this Code or by the notification to that effect by the Central Government.
- (3) Without prejudice to the provisions of sub-section (2), the provisions of section 6 of the General Clauses Act, 1897 (10 of 1897) shall apply to the repeal of such enactments.



IRL

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART II—B

Notifications, Notices and Orders by the Heads of Departments. $\hat{\circ} \ \hat{\circ} \ \hat{\circ} \ \hat{\circ}$

DEPARTMENT OF URBAN LOCAL BODIES, KASHMIR, OFFICE OF THE CHIEF EXECUTIVE OFFICER, MUNICIPAL COUNCIL, BUDGAM.

Notification

Whereas, in exercise of the powers conferred under section 66 of the J&K Municipal Act, 2000, Municipal Council, Budgam hereby notifies to impose and recover tax for the items classified under clause (1) of section 66 of the Act, as per the schedule annexed with the notification;

Whereas, under section 70 (02) the council is supposed to publish a notice for the information of the inhabitants of the Budgam Town; and

Whereas, the inhabitants of Budgam Town have a right to file objections, if any, in writing within the 30 days from the date of publication of this notice under section 70 (3) of J&K Municipal Act, 2000.

Now, this notification is issued under the seal and signature of undersigned along with proposed schedule of tax inviting objections from the inhabitants of the Town to be filed in writing in the Office of the Municipal Council, Budgam, within the 30 days from the date of publication of this Notification.

In case no such objection is received within the above specified period, the schedule of taxes shall be affected after one week from the date of expiry of time limit.

(Approved by the Council)

(Sd.) N. A. DAR,

Executive Officer, Municipal Council, Budgam.

óóóóóóó

Revised Tax Schedule of Municipal Council, Budgam

Annexure-A

| S. | | Proposed Trade Tax/ |
|-----------|---------------------------------------------------------|----------------------------------------|
| No. | | Fee per year |
| óóóo 1 | ებინინინინინინინინინინინინინინინინინინინ | óóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóó |
| _ | | |
| 1 | Advertisement Hoardings/Boards per sft. | 200 |
| 2 | Aluminium Utensil Seller/Aluminium Works | 1000 |
| 3 | Aluminium Utensil Shop | 800 |
| 4 | Architecture | 5000 |
| 5 | Arts Emporium Permanent Shop | 1500 |
| 6 | Arts Emporium/Sales Centre (Per Exbb) | 1500 |
| 7 | Ayurvedic Practitioner/Medicine Seller | 1000 |
| 8 | Ayurvedic Medical Shop | 1100 |
| 9 | Audio Cassette/Video Shop | 1500 |
| 10 | Attache/Trunk Shop | 1500 |
| 11 | Automobile Workshop (A) Class | 1500 |
| 12 | (B) Class | 1000 |
| 13 | Agriculture equipments/Tools Seller/ Agerbati Seller | 1000 |
| 14 | Bajri Quarry/Extract in Town | 100 per truck |
| 15 | Baker | 1100 |
| 16 | Bakery/Confectionery Shop | 1500 |
| 17 | Bike Showroom | 2000 |
| 18 | Bike Mechanic/Service Station of two wheel | er 1000 |
| 19 | Barber with Hamam | 1800 |
| 20 | Barbed without Hamam | 1500 |
| 21 | Barbed Wire Fabrications | 1000 |
| 22 | Basmati Factories | 1500 |

| 4 óóóó 1 | The J&K Official Gazette, 14th Jan., 2021/24th Pausa, | |
|----------------|--------------------------------------------------------------------------------------------|----------------------------|
| _ | ο δόδοσοδοδοδοδοδοδοδοδοδοδοδοδοδοδοδοδοδο | |
| 24 | Blanket processing | 1500 |
| 25 | Blacksmith/Ironsmith | 1100 |
| 26 | Boutiques Shop | 800 |
| 27 | Brass Utensil Seller | 1100 |
| 28 | Brick Industries | 25000 |
| 29 | Brick Kiln | 20000 |
| 30 | Brick NOC | 10000 |
| 31 | Butcher | 2000 |
| 32 | Beauty Parlour | 2000 |
| 33 | Bistar Maker | 600 |
| 34 | Book Seller | 1500 |
| 35 | Book Binder | 1000 |
| 36 | Candle Maker | 800 |
| 37 | Carpet Maker/Dealer | 1500 |
| 38 | Carpet weaving Material Shop | 1500 |
| 39 | Car Heavy Vehicle Repairing Shop | 2000 |
| 40 | (A) Class | 3000 |
| 41 | (B) Class | 2000 |
| 42 | Car Accessories | 2000 |
| 43 | Cosmetics Shop | 1100 |
| 44 | Cable Center | 3000 |
| 45 | Charges for Jetting-cum-Sewer Suction Machine (within the town limits of MC, Budgam) | 3500, for 2nd Trip 2000 |
| 46 | Outside limits of MC, Budgam up to 10 kilometers | 5000 |

| No. 42-1] The J&K Official Gazette, 14th Jan., 2021/24th Pausa, 1942. 5 60606060 6060606060606060606060606060 | | |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------|------------------|
| 1 óóó 47 | ού ό ό ό ό ό ό ό ό ό ό ό ό ό ό ό ό ό ό ό | _ |
| 48 | Cattle Animal Feed Dealer | 1500 |
| 49 | Cement Retailer | 1500 |
| 50 | Cement Jalli Fancying Poles Mfg. Factory/Tiles | 3000 |
| 51 | Cigarette Wholesale dealer other than Agency | 3000 |
| 52 | Cigarette Seller on portable trolly | 700 |
| 53 | Circus (A) (Per Month) | 5000 |
| 54 | Circus A, Class and (B) Class (Per Month) | 15000 |
| 55 | Clinical Laboratory A and B | 1000 |
| 56 | Cold Drink/Wholesale Dealer | 2000 |
| 57 | Coals Dealer | 1000 |
| 58 | Cold Drinks Shop (A) | 1000 |
| 59 | Computer DTP Centre | 2000 |
| 60 | Computer Training Centre | 2000 |
| 61 | Cosecs 2*2 (Small Hoardings) | 100 per 3 months |
| 62 | Cooking Gas Agency (C. P. G.) Agency | 7000 |
| 63 | Computer Sale and Services | 1000 |
| 64 | Corrugated GI Sheet Fabrication (A) and (B) | 2000+2000 |
| 65 | Corrugated GI Sheet Seller | 1000 |
| 66 | Crockery Retailer | 1000 |
| 67 | Copper Shop | 2000 |
| 68 | Cycle Dealer | 1500 |
| 69 | Cycle Repair Shop | 500 |
| 70 | Cable Network | 7000 |
| 71 | Cloth Shop | 1000 |
| 72 | Coaching Centres/Computer Institutions | 3000 |

| 6 | The J&K Official Gazette, 14th Jan., 2021/24th Pausa, | |
|-----------|----------------------------------------------------------------------------------------------------------|--------------------|
| óóóó 1 | %6666666666666666666666666666666666666 | óóóóóóóóóóóóó 3 |
| óóó | όόόόόόόόόόόόόόόόόόόόόόόόόόόόόό | · · |
| 74 | Dhabas | 1000 |
| 75 | Dharma Kanta | 1500 |
| 76 | Diagnostic Centre | 2000 |
| 77 | Diesel Generator Dealer | 2000 |
| 78 | Diesel/Petrol Pump | 10000 |
| 79 | Doctors Practicing in Drug Shop/Clinic | 3000 |
| 80 | Dupata Shop | 1000 |
| 81 | Dry Cleaner | 1000 |
| 82 | Dry Fruit Dealer | 1000 |
| 83 | Departmental Store | 10000 |
| 84 | Dyers | 1000 |
| 85 | Education Coaching Centre | 5000 |
| 86 | Electric Goods Dealer | 1500 |
| 87 | Film Commercial Shooting per day | 5000 |
| 88 | Firewood Depot | 1000 |
| 89 | Flour Mill | 1000 |
| 90 | Flour shop | 1000 |
| 91 | Fruit Commission Agent more than one lakh boxes per annum from 50000 to one lakh boxes up to 50000 boxes | 10000 |
| 92 | Dry Fruit Forwarding Agent | 5000 |
| 93 | Fruit Juice shop | 2000 |
| 94 | Fruit and Vegetable Wholesale dealer/retailer | 2000, 1500 |
| 95 | Furnishing Dealer Shop | 3000 |
| 96 | Furniture Shop (A) | 1000 |
| 97 | Furniture Maker | 700 |
| 98 | Fertilizers Shop | 1500 |
| | | |

| 1 | 2 | 3 |
|-----------|-------------------------------------------|----------------------------------------|
| óóó 99 | όδόδοδοδοδοδοδοδοδοδοδοδοδοδοδοδοδοδοδο | 66666666666666666666666666666666666666 |
| 100 | Glass Dealer | 1500 |
| 101 | Goldsmith Shop (A) | 6000 |
| 102 | Govt. Woolen Mills Sale Shop | 2000 |
| 103 | Granite Stone Shop/Marble | 1500 |
| 104 | Granite Stone Work/Marble Stone Work | 1200 |
| 105 | Grass/Fodder Mechanized Centre | 1000 |
| 106 | Gun Makers/Dealers | 5000 |
| 107 | Gym Centre | 2000 |
| 108 | Halwai/Sweets Shop | 1000 |
| 109 | Handloom Poshish Shop | 1500 |
| 110 | Hardware Shop | 1500 |
| 111 | Hopes Dry Kiln | 5000 |
| 112 | Hosiery Agent Outside the State Temporary | 200 per day |
| 113 | Hosiery Shop (A) | 1100 |
| 114 | Hosiery Shop (B) | 600 |
| 115 | Hotels and Restaurant | 2000 |
| 116 | Hotel A Class | 10000 |
| 117 | Hotel B Class | 7500 |
| 118 | Hospital up to 40 beds | 5000 |
| 119 | Hospital up to 200 beds | 20000 |
| 120 | Hawker/Raida per day | 25 per day |
| 121 | Ice Cream Shop | 1500 |
| 122 | Ice Cream Handy Cart | 25 per day |
| 123 | Ice Cream Factory | 3500 |
| 124 | Iron Shop | 1000 |
| | Insurance Agents | 1000 |

| 8 The J&K Official Gazette, 14th Jan., 2021/24th Pausa, 1942. [No. 42-1 666666666666666666666666666666666666 | | |
|--------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------|
| óóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóó | | |
| 127 | Kangri Dealer | 500 |
| 128 | K. Oil Dealer | 1500 |
| 129 | Kiryana | 1500 |
| 130 | Kids Items | 600 |
| 131 | License Fee for Registration Draftsman | 3000 |
| 132 | License Fee for Insurance Surveyor | 5000 |
| 133 | Light Motor Vehicle Dealer/Car Showroom | 7500 |
| 134 | Lime Surkhey Dealer | 2000 |
| 135 | Liquor Shop | 100000 |
| 136 | Macadam Pre-Mixture Plant (per annum) | 30000 |
| 137 | Manyari Shop | 2500 |
| 138 | Marble Chin Crusher | 5000 |
| 139 | Marble Dealer | 2000 |
| 140 | Mechanical Cotton Ginning | 2000 |
| 141 | Mechanical Spare Parts Dealer | 2000 |
| 142 | Mechanical Spare Parts Shop A-Class | 1000 |
| 143 | B-Class | 800 |
| 144 | Milk Bottling | 1000 |
| 145 | Milk Seller | 2000 |
| 146 | Mobile Phone Seller/Repair Shop | 1500 |
| 147 | Nursing Home | 5000 |
| 148 | Nail Makers | 1000 |
| 149 | Namda Maker | 1000 |
| 150 | No Demand Certificate Copying Fee | 1000 |
| 151 | N. O. C./W. C. F./P. C. F. | 500 |
| 152 | Oil (Cooking Oil) Dealer | 1000 |
| | | |

| No. 4 | 12-1] The J&K Official Gazette, 14th Jan., 2021 όόόδ | 1/24th Pausa, 1942. 9 |
|-----------|--------------------------------------------------------------|-----------------------|
| óóóó 1 | 6666 666666666666666666666666666666666 | óóóóóóóóóóóóó óóô ô |
| - | ۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵۵ | óóóóóóóóóóóóóóóóó |
| 153 | Oil Mill | 2500 |
| 154 | Opitation Centre/Shop | 1000 |
| 155 | Old Garments Dealer | 1000 |
| 156 | A. Painters (who make Hoarding, Signboards etc.) | 2500 |
| 157 | Selling 2nd Hand Vehicle Dealer | 3000 |
| 158 | Cow/Horse Traders | 5000 |
| 159 | C. House Painters | 1000 |
| 160 | D. Vehicle Spray Painters | 1000 |
| 161 | 1. Painters who makes Hoardings, Signboards etc.) | 1000 |
| | 2. Painter who paints advertisement on walls and house etc.) | 1000 |
| | 3. House Painters | 1000 |
| | 4. Vehicle Spray Painters | 1000 |
| 162 | Pan Shop | 1000 |
| 163 | Paper Mache Maker | 500 |
| 164 | Pesticide, Fungicide, Insecticide Dealer | 2000 |
| 165 | Pesticide, Fungicide, Insecticide Shop | 1500 |
| 166 | Pharmaceutical Agency | 3000 |
| 167 | Fertilizers/Cattle Feed Shop | 1600 |
| 168 | Plywood Shop | 1500 |
| 169 | Plywood Dealer | 1500 |
| 170 | Pollution Checking Centre | 1500 |
| 171 | Photographer | 1000 |
| 172 | Photostat | 1800 |
| 173 | Pickle Maker/Seller | 500 |

| 10 The J&K Official Gazette, 14th Jan., 2021/24th Pausa 66666666666666666666666666666666666 | |
|---------------------------------------------------------------------------------------------|--------------|
| 1 2 | 3 |
| 666666666666666666666666666666666666666 | óóóóóóóóóóóó |
| 174 Plastic Goods Dealer | 1000 |
| 175 Poultry Farm | 1500 |
| 176 Poultry Shop/Chicken Seller | 2000 |
| 177 Printing Press | 2000 |
| 178 Private ECG Plant | 1000 |
| 179 Private Financial/Hire Purchase Leasing Company | 5000 |
| 180 Private Hospital | 10000 |
| 181 Private X-Ray Plant | 2000 |
| 182 Raw Wool Dealers | 1000 |
| 183 Readymade Garment Shop A-Class | 2000 |
| 184 B-Class | 1500 |
| 185 Retail News Agency | 1000 |
| 186 Rent of Town Hall per day | 3000 |
| 187 Commercial | 4000 |
| 188 Religious Function | 2000 |
| 189 Retail Textile Shop A-Class | 2000 |
| 190 B-Class | 1500 |
| 191 Rice Husker, Saw Mill and Oil Expeller Dealer | 2000 |
| 192 Rice Mill/Oil Mill | 1500 |
| 193 STD Shop | 1000 |
| 194 Saffron Exporter | 3000 |
| 195 Sand Quarry do. | 5000 |
| 196 Sanitary Fitting Dealer | 2000 |
| 197 Saw Mill | 1500 |
| 198 Saw Mill with Trolley | 2000 |
| 199 Shawl Weaver | 1000 |

| No. 42-1] The J&K Official Gazette, 14th Jan., 2021/24th Pausa, 1942. 11 66666666 6666666666666666666666666 | | |
|-------------------------------------------------------------------------------------------------------------|-------------------|--|
| óóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóó | | |
| 201 Shoe Maker | 500 | |
| 202 Silversmith | 1000 | |
| 203 Soda Factory | 2000 | |
| 204 Spice Grinding Mills | 3000 | |
| 205 Service Station/Ramp | 1500 | |
| 206 Schools Primary Standard | 4000 | |
| 207 Middle Standard | 7000 | |
| 208 High Standard | 10000 | |
| 209 Higher Secondary | 15000 | |
| 210 Sports Goods Shop | 1000 | |
| 211 Steel Metal Fabrication (Welding and Grill Makers etc.)/Stair Makers | 3000 | |
| 212 Steel Utensil Seller | 1000 | |
| 213 Steel/Iron Dealer | 3000 | |
| 214 Stone Crusher | 3000 | |
| 215 Stone Quarry/Minor Minerals, Bajri and Sand | 1500 | |
| 216 Snuff/Tobacco Dealer | 2000 | |
| 217 Sweet Shop | 1000 | |
| 218 TV Commercial Shooting (per day) | per day 200 | |
| 219 Tailor, (A Class, B-Class and C-Class | 1500, (1000 each) | |
| 220 Tea and Other Provision Dealer (A-class, B-class) | 2000 | |
| 221 Tea Stall | 1000 | |
| 222 Temporary Shop in Festival | 200.00 PD | |
| 223 Tent/Shamiyana Dealer | 3000 | |
| 224 Tillers | 2000 | |

| 12 The J&K Official Gazette, 14th Jan., 2021/24th Pausa 66666666666666666666666666666666666 | |
|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| όσοσοσοσοσοσοσοσοσοσοσοσοσοσοσοσοσοσοσο | 5000 social soci |
| 226 Tanga Spare Parts Shop | 1000 |
| 227 Tanga Workshop/Hand Cart Workshop | 800 |
| 228 Tractor Dealer | 5000 |
| 229 Transport Agencies | 2000 |
| 230 Travel Agents | 1000 |
| 231 Trunk Makers | 1000 |
| 232 TV Video/Music System Shop | 1000 |
| 233 Transformer Repairing Shop | 1000 |
| 234 Type Institute | 1000 |
| 235 Typewriter Repairs | 1000 |
| 236 Tyre Dealer | 2000 |
| 237 Tyre Retarding Plant | 3000 |
| 238 Tyre Repairing Shop | 2000 |
| 239 Tyre Tube Repair/Air Compressor | 1000 |
| 240 Utensil Making C-Clay | 800 |
| 241 Vegetable/Fruit Sellers | 3000 |
| 242 Vehicle Body Builders | 2000 |
| 243 Video Cinema Hall | 5000 |
| 244 Vegetable Seller | 1000 |
| 245 Video Film Maker | 1000 |
| 246 Watch Seller | 600 |
| 247 Watch Seller/Repair | 500 |
| 248 Water Grath/Flour Grinding | 500 |
| 249 Wholesale Agencies | 2500 |
| 250 Wholesale Orchard Spray Oil Dealer | 3000 |

| No. 42-1] The J&K Official Gazette, 14th Jan., 2021/24th Pausa, 1942. 13 66666666 66666666666666666666666666 | | |
|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|-----------------------|
| óóóó 251 | óóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóó | óóóóóóóóóóóóó 4500 |
| 252 | Wholesale Rice Flour, Wheat, Oil Dealer | 3000 |
| 253 | Wood Carving | 1000 |
| 254 | Wool Spinning | 1000 |
| 255 | Wool Weaving, Cotton Textiles | 1000 |
| 256 | Financial Institutions | 500 per month |
| 257 | Construction Fee, Building Permission Fee A-Commercial (Per SFT) : | |
| 258 | 1. Ground Floor | 25 |
| 259 | 2. First Floor | 20 |
| 260 | 3. Second Floor | 20 |
| 261 | 4. Third Floor | 15 |
| 262 | B. Residential (Per SFT) | 15 |
| 263 | 1. Ground Floor | 12 |
| 264 | 2. First Floor | 6 |
| 265 | 3. Compound Walls | 25 |
| 266 | 4. Third Floor | 3 |
| 267 | C-Govt. Buildings (Per SFT) | 10 |

(Sd.) N. A. DAR,

Executive Officer, Municipal Council, Budgam.



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Notifications, Notices and Orders by Election Commission.

STATE ELECTION COMMISSION UNION TERRITORY OF JAMMU AND KASHMIR

Nirvachan Bhavan, Rail Head Complex, Jammu

Order

Jammu, the 1st of February, 2021.

The Jammu and Kashmir District Development Council (Reservation of Offices of Chairpersons) Rules, 2021 provide for reservation of the offices of the Chairpersons for Scheduled Castes, Scheduled Tribes and Women in the District Development Councils. These rules were notified, vide SO.-13 dated 11th January, 2021, read along with SO.-24 dated 22nd January, 2021, issued by the Government of Jammu and Kashmir in the Rural Development and Panchayati Raj Department and came into force with effect from issue of the said notification.

The J&K Official Gazette, 1st Feb., 2021/12th Magha, 1942. [No. 44-1

The Election Authority, Jammu and Kashmir in exercise of the powers under Rule 2(a) is required to issue an order for such reservation to the offices of Chairpersons of the District Development Councils in accordance with the provisions of the said rules.

In this regard, a draft order of the proposed reservation was issued, vide Notification No. EA/Pyt/2021/15 dated 25-01-2021 with the objective of calling for objections to the reservation, of offices of the Chairpersons of the District Development Councils, under categories given under the rules. Objections were permitted to be filed on or before 30-01-2021.

The draft notification for reservation dated 25-01-2021, was published in leading Newspapers of the Union Territory for information of the general public. Some objections/representations were received by the Election Authority within the stipulated time period. These objections/representations have been examined in context of the rules and the facts on record.

It was found that none of the objections/representations so received had any merit. No infirmity, leave alone irregularity was brought out in the draft notification for reservation dated 25th January, 2021.

The Election Authority, therefore, in terms of the provisions of the Jammu and Kashmir District Development Council (Reservation of Offices of Chairpersons) Rules, 2021, and subject to outcome of any writ petition pending before the Hon'ble High Court, hereby reserves/allots the seats of Chairpersons of District Development Councils for Scheduled Castes, Scheduled Tribes and Women in the Districts of the Union Territory of Jammu and Kashmir as per the details given in the enclosed statement forming Annexure-A to this Order.

> (Sd.) K. K. SHARMA, IAS (Retd.), State Election Commissioner (Election Authority). óóóóóóóóó (Sd.) Secretary, State Election Commission.

óóóóóóóó

| District Development Council | Reservation Status ô ô ô ô ô ô ô ô ô ô ô ô ô |
|------------------------------|----------------------------------------------|
| Anantnag | Scheduled Tribe |
| Bandipora | Open |
| Baramulla | Women |
| Budgam | Open |
| Doda | Open |
| Ganderbal | Women |
| Jammu | Scheduled Caste |
| Kathua | Open |
| Kishtwar | Women |
| Kulgam | Open |
| Kupwara | Open |
| Poonch | Scheduled Tribe Women |
| Pulwama | Open |
| Rajouri | Scheduled Tribe |
| Ramban | Women |
| Reasi | Open |
| Samba | Open |
| Shopian | Women |
| Srinagar | Open |
| Udhampur | Scheduled Caste |
| | (\$4) |
| | (Sd.) |
| | Secretary, State Election Commission. |